

Memo

To: Planning Commission

From: Historic Preservation Commission

Date: March 12, 2013

Re: Review of City Dock Master Plan

Executive Summary:

The Historic Preservation Commission (HPC) has reviewed the City Dock Master Plan (CDMP) and received both public comment and expert advice on the plan. We offer these comments as guidance to the Planning Commission for their review of the CDMP and its' impact on potential infrastructure improvements and private redevelopment with in the study area.

There are many components of the CDMP that the HPC believes could be fully compliant with preservation standards and guidelines depending on site and design specifications. These include:

- Redefinition of measurement from “at grade” to at “flood protection elevation”
- Widening of some sidewalks and promenades to provide sufficient space for pedestrian usage
- Redesign of Hopkins Plaza to improve space utilization and flexible use of space
- Demolition of non-contributing buildings assuming appropriate designs are submitted for replacement structures
- Installation of a seawall

There are some components of the CDMP that the HPC believes illustrate conflict with and non-compliance to preservation standards and guidelines. These include:

- Revisions to height districts with the possible exception of the above mentioned technical redefinition depending on the specifically affected site
- Relocation of Dock Street towards Market Slip
- Realignment of sidewalks to parallel Market Slip as opposed to parallel to the building line
- Demolition of Memorial Circle

The HPC concurs with the CDMP that a viewshed analysis must be undertaken prior to any submission of plans to the HPC. The HPC however cannot restrict its viewshed analysis to the view down Main Street to City Dock as inferred by the CDMP. The HPC must consider all viewsheds: from land to water, from water to land and of significant historic resources (St. Annes, St. Marys, USNA Chapel Dome, Ridout House etc).

As with any other pre-application review, these are comments to ensure that applicants have an understanding of the areas of consensus and contention that should guide a property owner in developing an application that can be approved by the HPC.

Following this executive summary is a detailed analysis of the standards and guidelines the HPC used in developing these responses.

Background: The City Dock Master Plan (CDMP) was submitted to the City Council on December 10, 2012. It was referred to the Historic Preservation Commission (HPC) for review and comment.

1. ANNAPOLIS HISTORIC DISTRICT ZONING ORDINANCE (excerpted)

21.56.010 – Authority and Purpose

B. The preservation of sites, structures, and districts of historical, cultural, archaeological, or architectural significance together with their appurtenances and environmental settings is a public purpose.

C. It is the further purpose of this article to preserve and enhance the quality of life and to safeguard the historical and cultural heritage of Annapolis by preserving sites, structures, or districts which reflect the elements of the City's cultural, social, economic, political, archaeological, or architectural history; to strengthen the local economy; to stabilize and improve property values in and around such historic areas; to foster civic beauty, and to preserve and promote the preservation and appreciation of historic sites, structures and districts for the education and welfare of the citizens of the City.

2. The HPC took public input on the matter on February 12, 2013 at a regularly scheduled hearing, and allowed for written comment until February 28, 2013. The HPC discussed the document at the February 28th Administrative Hearing, which was duly posted and attended by the public. At the meeting on February 28, 2013 Dr. Sally Nash provided technical and expert testimony from the planning department. Under HPC Rules of Procedure (ROP) the report was treated as a pre-application conference under the following (excerpted) guidelines:

ROP 3.10 A pre-application conference may be scheduled to provide an applicant with the opportunity for preliminary review of a project by the Commission prior to submitting a complete application for a certificate of approval. . . . materials shall assist the commissioners in comprehending the issues related to the feasibility of the project and such broader issues as the scale and mass of the proposal, its impact on the streetscape, and the effect on the historic fabric and form of the resource. . . . the comments made by the HPC members at a pre-application are in no way to be interpreted as an approval of the projects before them. Absence of comment on any aspect of the presentations does not indicate acceptance. The pre-application meeting is solely an accommodation for the applicant.

During a pre-application conference the HPC posits a series of questions related to how the proposed project would comply with various standards and guidelines.

Materials Submitted for Review: City Dock Master Plan, Public Testimony, Staff Report

In addition to the CDMP the following facts were introduced into the record:

1. The CDMP covers an area that contains currently three separate height restrictions. All heights are currently measured from the existing grade. Legislation that adoption of the CDMP would trigger would revise heights districts on Dock Street and Compromise Street. Additionally, the HPC was advised that Planning & Zoning intends to include in the legislation an amendment that would redefine the measurement from at grade (current code) to at flood protection elevation (proposed code). If these changes are enacted into code the height limits would change as follows:

<u>District</u>	<u>Current Cornice/Roof</u>	<u>Proposed Cornice/Roof*</u>	<u>Change</u>
Fawcetts/ Compromise St	22'/32'	34'/44'	+ 12 feet
Dock St (inner) Guzzi property	28'/38'	41'/51'	+ 13 feet
Dock St (outer)	28'/38'	61'/71	+ 33 feet

*Includes the measurement change from grade to flood protection elevation at 6 additional feet which is the maximum; depending on site the floodplain increment could be as low as 2 additional feet.

The legislation that adoption of the CDMP would trigger also proposes changes in zoning and creation of a Waterfront City Dock zone that would expand uses subject to standards. Some of the new uses would be hotels, restaurants and Planned Units Development (PUDs).

In addition to the above items, elements in the CDMP that commissioners focused on in their discussions and have significant impact from the HPC perspective include but are not limited to:

- a. Relocation of outer Dock Street forward towards Market Slip (see comment 1)
- b. Redefinition of the setbacks relative to sidewalk widths and building heights (see comment 2)
- c. Redefinition of inner Dock Street sidewalks to parallel promenade as opposed to buildings (see comment 2)
- d. Demolition of Fawcetts, 1 Craig Street and the Harbormaster Building (see comment 3)
- e. Demolition of Memorial Circle and redesign of traffic flow at the foot of Main Street (see comment 4)
- f. Installation of a seawall (see comment 5)

Overall Comments:

- As of this date, the testimony available to guide the HPC in evaluating the compliance of projects envisioned within CDMP is lacking one absolutely critical element: professional assessment of the impact of CDMP projects on viewsheds. The CDMP states “it will be imperative that viewshed analyses be undertaken during the plan review process for any new development or major redevelopment projects on City Dock.” The HPC is charged with protection of all viewsheds, not simply the one referenced in the CDMP (ie down Main Street to the City Dock). The HPC must also evaluate impacts on views from the water, and from and of significant historic resources (such as the Naval Academy Chapel dome, the State House dome, Ridout House etc). A study to evaluate this issue must be undertaken prior to any formal application to the HPC for approval on a specific project which would impact the various viewsheds. The study must be done under the direction of City Staff and specifically the Chief of Historic Preservation to ensure its relevance to preservation requirements.
- Without the resources necessary to complete a professional assessment of the CDMP regarding preservation issues, the HPC members can only be guided by the Secretary of Interior Standards for Rehabilitation, Article 66B of the State of Maryland which provides enabling authority for the HPC and the adopted Design Guidelines for the City of Annapolis. These documents are the basis on which the component specific comments are based.
- The HPC believes that given the location of the plan area, all components are subject to a standard of strict scrutiny for review as opposed to a lenient standard.

Component Comments:

- 1. Building Height and Bulk Changes/Setback Alterations:** Without the above referenced analysis the HPC cannot accurately assess the impact of the proposed changes on the numerous affected viewsheds. Looking to other impacts such as urban form, streetscapes and building design we refer to the following items (excerpted) in the Secretary of Interior Standards and the Annapolis Design Manual for assessment as to compliance and feasibility. In assessing City Dock as a single resource (as opposed to each individual structure and open space) the importance of preservation of the spatial relationships becomes critical.

Question: How would the proposed redevelopment projects/areas address the following standards and guidelines?

- I. Standards for Rehabilitation from the Secretary of the Interior : (emphasis added)

Standard 1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

Standard 2. The historic character of a property will be retained and preserved. ***The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.***

Standard 4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

Standard 9. New additions, exterior alterations, or ***related new construction will not destroy*** historic materials, features, and ***spatial relationships that characterize the property.*** The new work shall be differentiated from the old and ***will be compatible with*** the historic materials, features, size, ***scale*** and proportion, ***and massing to protect the integrity of the property and its environment.***

II. Annapolis Design Guidelines

P 16: “The historic district possesses a strong urban character formed by the radial city plan, sloping terrain, and numerous water views. For all its’ diversity, there is a visual unity within the historic district, which results from the human scale of the buildings and streetscapes. It is this unity which the HPC seeks to preserve.”

P 25-32: “Design principles provide a vocabulary for evaluating new buildings within an existing historic context. The ordinance encourages good contemporary design which follows the design principles of existing neighboring buildings, and respects the scale, proportions, order, rhythms, and materials of the prevailing historic context. Scale is perhaps the most important design principle to be considered in evaluating proposed new construction in historic neighborhoods. The principle of scale applies to both individual buildings and to streetscapes. Conversely, in the commercial, governmental, and institutional areas of the district, new large buildings of modern day function intrude upon a historic setting. Building size and age correlate closely in these areas; newer buildings tend to be larger. The significance of the size of the Capitol and the churches is diminished as more and more large buildings are constructed, because the diversity in scale these historic public buildings once provided has been diluted. Rhythm in architecture refers to the spacing and repetition of building elements. A lack of historic rhythms, is one of the most frequently repeated criticisms of modern architecture. It is particularly destructive to the character of a historic district.

A. GUIDELINES TO PRESERVE AND ENHANCE THE CITY'S HISTORIC URBAN FORM.

A.1 The Town Plan and Focal Points: New buildings should reinforce the historic town plan of Annapolis and should respect traditional views and visual focal points including the State House, St. Anne's Church, and the water. The dramatic pattern of streets converging on major spaces and radiating outward to views of the water (or other streets leading to the water) can be adversely affected by site planning and building design which does not reinforce the pattern. For example, large buildings at the visual terminus of a street may alter the human scale of the street and block historic views beyond.

A.3 Views from the Water All projects which are visible from the water shall respect and reinforce the historic character of the district and shall respect traditional views and visual focal points.

B. GUIDELINES TO PRESERVE AND ENHANCE INDIVIDUAL HISTORIC STREETSCAPES.

The residential street scape is an ensemble of street, sidewalks, fences, vegetation, and buildings. Each part is a layer in the transition from public to private and each is subject to the review of the Historic District Commission. Public space includes the street paving for vehicles and sidewalks for pedestrians. Buildings and landscape elements form walls of outdoor spaces which become the public halls and reception rooms of the city. Street and sidewalk paving is the flooring of these rooms, and the vegetation and street furniture the furnishings. The historic district ordinance is in place to protect the street scape from insensitive change. ***The ordinance discourages the removal of landscape elements and obliteration of the street scape "walls" by a change in setback, any increase in the height and width of the "walls," removal of the historic human scale, or disruption of the existing order and pattern of rhythm along the street. (emphasis added)***

B.1 Visual Relationships Between the Old and New: A new building or addition should visually relate to contributing historic buildings in its immediate neighborhood rather than to buildings in the historic district in general. The "immediate neighborhood" is defined as 1/2 block in both directions.

B.2 New Building Design : New buildings should be designed to strengthen the unity of the existing street scape, and should follow the design principles of historic architecture described in Chapter IV.

B.3 Building Height and Bulk: New buildings should respect the bulk and height of neighboring buildings. The facade height and proportions of new buildings should be compatible with the predominant character of other buildings in the street scape. ***Limiting the bulk and height of new construction is essential to protect the human scale of Annapolis streetscapes. (emphasis added)***

B.10 Prevailing Setbacks The prevailing setback line at the street should be preserved. Any new construction should address the street in a manner consistent with neighboring structures and the overall street form and character. The facade of a planned new building should respect the alignment of existing building facades relative to the sidewalk edge. On blocks where buildings are set back, a new building should be set back to the prevailing setback line.

B. 11 Building Widths and Spacing The prevailing relationships of building widths and the spaces between buildings should be respected and preserved. Where buildings are built out to the side lot lines, new buildings should be built out to side lot lines to maintain the sense of a "wall" along the street. Where buildings are clearly separated from one another by side yards, new buildings and additions to existing buildings should not encroach into the side yard spaces. Where the spacing of buildings and side yards creates a rhythm, new buildings and additions to existing buildings should not alter that rhythm.

D.3 Preservation of Building Changes Significant changes to historic buildings and sites which have taken place over time are evidence of the history of the building and shall be preserved.

Assessment:

- The HPC found particularly persuasive the document submitted entitled "Shorelines of Annapolis Market Slip" providing historical documentation that the setbacks along Dock Street have been in existence in their current form since approximately 1878 (Hopkins).
- The HPC can support the concept of a change in measurement definition as it relates to cornice and roof lines as a reasonable and necessary adaptation to a changing environment (in essence similar to

a field change when construction occurs). However, the HPC would require additional data on the impact of such a change based on specific sites, buildings and viewsheds. The HPC does not believe the concept of substantially altering the height district on Dock Street or Compromise Street would be compliant and feasible given the testimony in the record. The HPC does not believe the concept of altering the location of outer Dock Street would be compliant or feasible given the testimony in the record.

- The HPC takes note however of the following language in Title 21.56.060: “Special Considerations: the Commission may approve the proposed construction, reconstruction, alteration, moving, or demolition despite the provisions of subsection (E)(2) of this section, if the Commission finds that: a. The landmark, site or structure is a deterrent to a major improvement program which will be of substantial benefit to the City” The HPC points out that the City and a property owner could present evidence to invoke this portion of the code and argue the case for substantial benefit. The HPC would further note that such testimony would need to be demonstrable fact as opposed to assertions and would be subject to public scrutiny and rebuttal. The HPC would have to vote on the matter prior to moving forward with an application under this provision.

2. Redefinition of inner Dock Street sidewalks to parallel promenade as opposed to buildings and overall expansion of the ratio between sidewalks and buildings:

Question: How would the proposed redevelopment projects/areas address the following standards and guidelines?

I. Standards for Rehabilitation from the Secretary of the Interior : (*emphasis added*)

Standard 1. A property will be used as it was historically or be given a new use that **requires minimal change** to its distinctive materials, features, **spaces, and spatial relationships**.

Standard 2. The historic character of a property will be retained and preserved. **The removal of distinctive** materials or alteration of features, **spaces, and spatial relationships that characterize a property will be avoided**.

Standard 9. New additions, exterior alterations, or **related new construction will not destroy** historic materials, features, and **spatial relationships that characterize the property**. The new work shall be differentiated from the old and **will be compatible with** the historic materials, features, size, **scale** and proportion, **and massing to protect the integrity of the property and its environment**.

II. Annapolis Design Guidelines.

P 26. The principle of scale applies to both individual buildings and to streetscapes. In an urban setting, where each building functions as a part of the larger streetscape, building scale is of paramount importance. Outdoor spaces, including streetscapes, have scale as well. The walls of buildings, hedges, fences, and outbuildings create outdoor spaces which have a scale created by the height and spacing of buildings, the width of the street, and landscape elements. The intimate scale of Annapolis streetscapes is formed by the residential scale of buildings,

the width of the street, the placement of buildings on their lots, the human scale of building features such as railings, porches, windows, shutters, doors, and the presence of trees and shrubs. The architectural diversity of Annapolis streets is visually pleasing because within the differences in styles there remains a harmony of scale.

B. GUIDELINES TO PRESERVE AND ENHANCE INDIVIDUAL HISTORIC STREETSCAPES.

The residential street scape is an ensemble of street, sidewalks, fences, vegetation, and buildings. Each part is a layer in the transition from public to private and each is subject to the review of the Historic District Commission. Public space includes the street paving for vehicles and sidewalks for pedestrians. Buildings and landscape elements form walls of outdoor spaces which become the public halls and reception rooms of the city. Street and sidewalk paving is the flooring of these rooms, and the vegetation and street furniture the furnishings. The historic district ordinance is in place to protect the street scape from insensitive change. *The ordinance discourages the removal of landscape elements and obliteration of the street scape "walls" by a change in setback, any increase in the height and width of the "walls," removal of the historic human scale, or disruption of the existing order and pattern of rhythm along the street. (emphasis added).*

Assessment:

- The HPC does believe that widening certain sections of sidewalk along Dock Street to more closely conform with dimensions present throughout Main Street and Market Space would be compliant and feasible based on the testimony in the record and within certain limits and would welcome an application from the City on this project. The HPC does not believe the concept of realigning sidewalks on Dock Street to parallel the promenade as opposed to the buildings would be compliant and feasible given the testimony in the record.

3. Demolition of Fawcetts, 1 Craig Street and the Harbormaster Building:

Question: How would the proposed redevelopment projects/areas address the following standards and guidelines?

I. Annapolis Design Guidelines

D2: Demolition: Demolition potentially alters the essential character and integrity of the historic district and shall be reviewed strictly. The demolition of contributing structures does not meet the Secretary of Interior Standards and should not be approved. In accordance with City Code Section 21.56.090 no demolitions except those undertaken for public safety shall be approved until plans for a replacement structure have been submitted and approved by the HPC. Archaeological research shall be conducted prior to demolition.

Assessment:

- The HPC does believe that demolition of non-contributing structures within the Historic District can be compliant and feasible based on the testimony in the record depending on the specific replacement design that is proposed. This analysis would extend to the Fawcetts building and the Harbormasters building but not 1 Craig Street (a contributing resource to the District).

4. Demolition of Memorial Circle and redesign of traffic flow at the foot of Main Street, redesign of Hopkins Plaza:

Question: How would the proposed redevelopment projects/areas address the following standards and guidelines?

I. Standards for Rehabilitation from the Secretary of the Interior :

Standard 4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

II. Annapolis Design Guidelines

A.3 Views from the Water All projects which are visible from the water shall respect and reinforce the historic character of the district and shall respect traditional views and visual focal points.

D.3 Preservation of Building Changes Significant changes to historic buildings and sites which have taken place over time are evidence of the history of the building and shall be preserved.

Assessment:

- The HPC believes a redesign of Hopkins Plaza prior to any decision on Memorial Circle would be compliant and feasible depending on the design specifications submitted. A majority of the Commissioners present at deliberations believe that the demolition of Memorial Circle would not be compliant and feasible based on the testimony in the record. These commissioners found the testimony from Ms McWilliams and Russo most persuasive. However unlike all other items discussed, this was not a unanimous opinion and some commissioners (2) remain undecided based on the record.
 - The HPC takes note however of the following language in Title 21.56.060: “Special Considerations: the Commission may approve the proposed construction, reconstruction, alteration, moving, or demolition despite the provisions of subsection (E)(2) of this section, if the Commission finds that: a. The landmark, site or structure is a deterrent to a major improvement program which will be of substantial benefit to the City;” The HPC points out that the City as the property owner could present evidence to invoke this portion of the code and argue the case for substantial benefit. The HPC would further note that such testimony would need to be demonstrable fact as opposed to assertions and would be subject to public scrutiny and rebuttal. The HPC would have to vote on the matter prior to moving forward with an application under this provision.
- 5. Installation of a Seawall:** The HPC does believe that the construction of a seawall could be compliant and feasible given the testimony in the record and depending on design specifications and welcomes an application from the City on that project.

Comments from 2011 that the HPC continues to endorse are as follows:

- The HPC would encourage the development, even at the conceptual level, of a streetscape materials guidance document. Recommendations for the standardized use of paving, curb, and sidewalk materials for specific areas/uses would provide cohesion to the development since the build out time is a lengthy one. Materials that are both sustainable and appropriate for use in the historic environment should be the focus of this effort. This project could be accomplished efficiently and would result in significant improvement in the streetscape design.
- The HPC heartily endorses the statement to coordinate and prioritize efforts with a review of the Capital Improvements Plan (CIP).
- The HPC has no opinion on the discussion relating to the management entity proposed by CDMP per se but is mindful that regardless of management type, the historic district ordinance vests authority for approval of infrastructure changes with the HPC.

Other Items:

- The HPC has requested additional review of CDMP from Maryland Historical Trust. Their letter is attached and made a part of this response.
- The HPC is forwarding and making part of the record all public written testimony as well as minutes (when complete and adopted) from the hearing on February 12, 2013.
- The HPC wishes to remind all parties that in addition to all other requirements as the CDMP moves into actionable projects that archaeological oversight will be a necessary component of the process.

The HPC wishes to express our appreciation for the on-going collaboration of the various groups on this important project and we look forward to reviewing complete applications as the projects develop.

Respectfully Submitted by:

Sharon A Kennedy (Chair)
Tim Leahy (Vice Chair)
Kim Finch
Bronte Jones
Jay Kabriel
Rock Toews
Pat Zeno

March 11, 2013

Sharon A. Kennedy, Chair
Annapolis Historic Preservation Commission
Department of Planning & Zoning
145 Gorman Street, Third Floor
Annapolis, MD 21401

Re: City of Annapolis
City Dock Master Plan

Dear Chairman Kennedy:

I have received your letter of March 4, 2013, requesting that the Maryland Historical Trust (MHT) provide technical assistance in the review of the City Dock Master Plan (CDMP) and its effects on the Colonial Annapolis Historic Landmark District. We have reviewed the CDMP and, in accordance with the provisions of Article 66B, §8.03 (b) (1) of the Annotated Code of Maryland, we offer the following comments for your consideration.

The CDMP describes five guiding principles for development and improvement around the City Dock area and discusses specific ways that the principles should be applied to preserve the historic layout and scale of the neighborhood, develop walkable public spaces, decrease the dominance of cars on the landscape, promote environmental sustainability, and foster public art. As you are well aware, the area addressed by the CDMP is in the core of a unique and nationally-important historic district. Historic Annapolis, Maryland Inventory of Historic Properties AA-137, has tremendous significance for its role in political, economic, and cultural history; as one of the first planned cities in Colonial America; and for its extraordinary collection of eighteenth and nineteenth-century architecture. The district has been listed in the National Register of Historic Places since 1965 and is one of the few large urban districts in the United States to be designated a National Historic Landmark, our nation's highest recognition of historic importance. The waterfront, and the connection of the surrounding district to the waterfront, is central to the character of the district and to telling the story of its history.

After careful review and consideration, MHT is pleased to endorse most aspects of the CDMP. The gradual transition to a more walkable neighborhood described in the plan capitalizes on and accentuates the unique and waterfront atmosphere of neighborhood. Many of the proposed changes will be beneficial to the preservation of the historic character of the area. Suggestions in the plan, such as improved sidewalks, a waterfront promenade, and additional park space will not only improve the experience of residents and visitors, but also make the surrounding historic buildings more economically viable while at the same time maintaining their context and historic integrity.

Central to the CDMP is reducing the physical impact of the automobile through better managed parking. A large amount of surface parking detracts from the historic character of the area and seems a poor use for waterfront land. Decreasing surface parking at Market Space and along Dock Street will decrease the separation of people and the historic waterfront that has been caused by parked cars and paving. Rather than meet parking needs by increasing volume or allowing other construction that might impose on the historic character of the neighborhood, the CDMP proposes to accommodate contemporary parking needs through increased use of technology and intelligent management. Strategic pricing, improved wayfinding, employee parking programs, encouraging the use of existing garages, maximizing the utility of existing spaces through valet parking, and free Circulator bus-type transit are all promising strategies that have been successful in other dense historic areas.

Members of the City Dock Advisory Committee were unable to reach consensus about the proposed removal of the traffic circle at the intersection of Main, Randall, and Compromise Streets and its replacement with a more conventional intersection. Historically there was a circular feature at this intersection; however, that feature has

been modified and moved over time, and it was not part of the original formal plan for the city. On the other hand, replacement with a more conventional intersection probably would necessitate introduction of traffic signals that would create visual clutter and adverse effects on the historic character of the district and, perhaps, its own unintended traffic congestion.

MHT is concerned with the CDMP's proposal to increase the long-standing historic district height and bulk limitations for new construction in the redevelopment areas. The CDMP proposes to permit new buildings of up to five stories. Redevelopment of the non-historic buildings in these areas is a great opportunity, but new construction should not exceed the existing scale of the historic buildings on Dock and Prince George Streets, and generally throughout the entire historic district of three stories and lower. A mass of taller buildings concentrated near the waterfront would create a psychological and visual separation between the dock area and the rest of the historic district. This would diminish the integrity of the district as a whole, especially given the importance of the connection between the waterfront and the historic city.

We agree with the several parties that already have commented on the somewhat limited focus the CDMP places on historic vistas and viewsheds. As Donna Ware of Historic Annapolis, Inc., wrote:

While the view along Main Street to the Chesapeake Bay and the view from the foot of Main Street to the water are significant, there are many vistas that are equally important. The natural topography, prominent historic buildings and historic streetscapes, which are viewable from a number of vantage points, require protection and preservation in any plan for the city dock.

In this regard, the view of the historic district *from* the water also is worthy of preservation. A "wall" of even slightly taller new buildings near the edge of the waterfront would significantly alter the perception of the historic district from this important vantage point.

Finally, our comments should not be construed to constitute any pre-approval or position that MHT may subsequently determine in an undertaking subject to our legal jurisdiction. Such undertakings would include 1) any project sponsored, financially assisted, permitted or licensed by a state or federal agency; 2) projects proposed on state-owned property; and 3) projects involving property that is subject to a historic preservation easement held by MHT. Future projects subject to MHT jurisdiction will be treated *de novo* according to the circumstances and merits of the specific undertaking. With regard to the height for new construction, however, in the absence of extenuating or mitigating factors, any proposed construction over 3 stories will likely be determined to constitute an "adverse effect" on the character of the district.

We commend the City and the members of the City Dock Advisory Committee for their hard work to preserve the historic district and ensure that it remains an economically and culturally lively place for residents and visitors. If you have any questions about our review and comments, please do not hesitate to call.

Sincerely,

J. Rodney Little
Director \ State Historic Preservation Officer
Maryland Historical Trust

JRL \ JES
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CC: Lisa Craig (City of Annapolis)