



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING
100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444
(561) 243-7040

HISTORIC PRESERVATION BOARD STAFF REPORT

10 North Swinton Avenue

Meeting	File No.	Application Type
September 1, 2021	2021-164	Individual Listing to the Local Register of Historic Places

REQUEST

The item before the Board is for recommendation to the City Commission for a request to individually list “Doc’s” located at **10 N. Swinton Avenue, Old School Square Historic District**, to the **Local Register of Historic Places**.

GENERAL DATA

Owner: MDG Banyan Delray Partners, LLC
Agent: Neil Schiller & John Szerdi
Location: 10 North Swinton Avenue
PCN: 12-43-46-16-01-060-0160
Property Size: 0.19 Acres
Zoning: OSSHAD (Old School Square Historic Arts District)
FLUM: OMU (Other Mixed Use)
Historic District: Old School Square Historic District
Adjacent Zoning:

- OSSHAD (North)
- OSSHAD (West)
- OSSHAD (South)
- OSSHAD (East)

Original Land Use: Commercial/Restaurant
Proposed Land Use: Commercial/Restaurant



BACKGROUND AND PROJECT DESCRIPTION

The subject property is on the west side of North Swinton Avenue between West Atlantic Avenue and NW 1st Street and is within the Locally and Nationally Designated Old School Square Historic District. It contains Lot 16, less the south 20 feet thereof, Block 60, Town of Delray, Florida, as recorded in Plat Book 1, Page 3, of the Public Records of Palm Beach County, Florida. The property address is 10 N. Swinton Avenue and currently contains a building that was formerly occupied by a restaurant known as “Doc’s All American”, that was constructed in 1951 in the Masonry Vernacular style. Parking for the restaurant exists on the subject property and on the adjacent lot to the west.

The property is listed as contributing within the National Register designated Old School Square Historic District and the property is listed as non-contributing within the Local Register designated Old School Square Historic District. The 2009 Old School Square Historic District Resurvey recommended that the subject property be reclassified as contributing, as the Period of Significance was being expanded to include those eligible resources constructed between 1944 and 1965; however, the owner requested that the subject property not be reclassified. Upon adoption of Ordinance 10-10 on June 1, 2010, the Period of Significance for the Old School Square Historic District was expanded to 1965, and 10 of the properties that were recommended for reclassification were not reclassified to contributing, including the subject property, because the property owners allowed to “opt-out” of this process.

It is noted that the 2020 Historic Resource Resurvey of the Old School Square Historic District recommends

Project Planner:

Katherina Paliwoda, Planner - paliwodak@mydelraybeach.com
Michelle Hoyland, Principal Planner - hoylandm@mydelraybeach.com

Review Dates:

August 4, 2021

Attachments:

1. Designation Report
2. Photographs



the property be reclassified as a contributing structure to the Local Register of Historic Places. While the 2020 Historic Resource Resurvey project has not yet been finalized, it is expected to be scheduled for review by the Historic Preservation Board and City Commission at the end of this year.

The property contains a one-story building that has been utilized as a restaurant since its construction in 1951. A bathroom addition was added in the 1980s, as well as a large awning surrounding the front and sides of the structure. The existing neon sign was restored in the 1990s. Four parking spaces are located on the north side of the property, adjacent to the east/west alley. In 1993, COA 8-217 was approved by the Historic Preservation Board for improvements to the building as well as the addition of new code compliant landscaping, and a new parking lot to the west of the restaurant building.

The historical integrity of the structure and property have been maintained.

The item before the board is for the recommendation to City Commission for Individual Listing of “Doc’s” to the Local Register of Historic Places.

REVIEW AND ANALYSIS

Pursuant to Section 4.5.1(B)(1), Criteria for Designation of Historic Sites or Districts, to qualify as a historic structure, individual properties, structures, sites, or buildings, must have significant character, interest, or value as part of the historical, cultural, aesthetic, and architectural heritage of the city, state, or nation. To qualify as a historic site, historic district, or historic structure, the property or properties must fulfill one or more of the criteria set forth in division (2) or (3) below.

Section 4.5.1(B)(2) A building structure, site, interior, or district will be deemed to have historical or cultural significance if it meets one or more of the following criteria:

- (a) Is associated in a significant way with the life or activities of a major person important in city, state, or national history (for example, the homestead of a local founding family);**
- (b) Is the site of a historic event with significant effect upon the city, state, or nation;**
- (c) Is associated in a significant way with a major historic event, whether cultural, economic, social, military, or political;**
- (d) Exemplifies the historical, political, cultural, economic, or social trends of the community in history; or,**
- (e) Is associated in a significant way with a past or continuing institution which has contributed substantially to the life of the city.**

The one-story structure located at 10 North Swinton Avenue meets criteria (d) and (e) above as it exemplifies the historical, cultural, economic, and social trends of Delray Beach and the United States. Doc’s restaurant has also been an “institution” within Delray Beach as it has contributed to the life of the city as a well-known and frequented business since its establishment.

Historical and Cultural Significance Statement – from the applicant’s Historic Designation Report:

“As the nation’s obsession with automobile convenience encouraged the standardization of food and service, restaurants began to be constructed as “place-product-packaging.” The standardization of not only food, but buildings, logos, decor, and prices of restaurants significantly impacted the landscape along America’s highways. In the early twentieth century, motorists picnicked or frequented local, downtown diners or cafes. In 1921, the first “curb service” roadside stand was opened by the Pig Stands Company of Dallas, Texas. Customers parked along the curb, as the stand did not provide off-street parking. However, the next curbside restaurant franchise to open in 1923, A & W Root Beer, included parking lots. Following the popularization of roadside stands, highway coffee shops grew in popularity. This restaurant design continues to be reflected in modern form: a parking lot in front of the restaurant, with patrons entering through a vestibule.

Drive-ins became a novelty phenomenon in the post-war period, born from the car side service of stands and



the accommodation of onsite dining of highway coffee shops. Large neon signs dominated the buildings, which only housed a kitchen and soda fountain. A canopied parking provided shelter for diners and employees alike. However, labor costs to maintain drive-ins were high. Many drive-in chains attempted to experiment with methods of removing the need for carhops to decrease this expense. As a result, the outdoor walk-up restaurant provided restaurant owners a way of eliminating waiting staff and increasing food preparation. The walk-up evolved into existence when owners stripped drive-ins "to their bare essentials: small buildings with kitchen, service windows, and restrooms". With food served at exterior windows, customers ate in their cars or on picnic tables. Many of these buildings were prefabricated, flat-roof, steel frame structures covered in glass or enamel.

Chain roadside restaurants sought uniform and distinctive branding to encourage uniformity and customer loyalty, with McDonald's being the most recognizable to emerge from the mid-twentieth century. The assembly line system of cooking developed at McDonald's produced hot food at reduced labor costs. Building prefabrication were also methods to reduce overhead spending and standardize service. Some chains were able to assemble their walk-up stands in less than a week. Meanwhile, other restaurants, such as Dairy Queen, relied on novelty foods to attract customers. By the late 1960s, restaurants opened interior walk-up counters with dining rooms, more reflective of modern fast-food establishments, and drive-through windows became a standard feature after 1970."

"The original owner, Dr. Paul Krall, was a Philadelphia-area dentist who opened the shop upon moving to Florida after retiring from his dental practice. The building was built in a uniform design compared to other early-1950s Dairy Queens, with walk-up windows, concrete block structure, and glass panel walls. Krall built his ice cream shop at the corner of Swinton and Atlantic Avenues in what is now known as the Old School Square Historic District. The neighborhood included a transition from Delray Beach's commercial core to surrounding residential properties, including the Old School Square Campus across Swinton Avenue from Doc's walk-up shop. Built in 1913 with additional buildings constructed in the 1920s, the Old School Campus operated entirely as an elementary school by the time Doc's was built. Other surrounding properties were constructed primarily in the 1920s, associated to the region's Land Boom, through the 1960s. Doc's Dairy Queen contributed to the neighborhood's developing twentieth-century built environment.

Krall turned his Dairy Queen franchise location into an independent shop in 1963, changing the name to Doc's Soft Serve, which harkened back to his previous employment as a dentist. He continued to operate the ice cream shop until 1980, when he sold the establishment to his niece, Pat Redman, and her husband, Robert. The Redman's expanded the shop's menu to include sandwiches and hotdogs and changed the name to Doc's All American. To keep up with the city's revitalization efforts of Atlantic Avenue and downtown during the 1980s, Redman removed the building's iconic blue neon sign and renovated the building to include bathrooms and a wider awning. In 1987, Robert Redman passed away suddenly from cancer. The business shuttered in 1988, but the family continued to own the property until 1990 when it was sold to Lisa Webb. The property remained vacant until a developer purchased the property in 1992.

The developer, Philip Vultaggio, had no initial plans for the property. However, in 1993, he leased the property to local resident, Cory Cassidy, who began work to restore the original signage and reopen the walk-up restaurant. Cassidy submitted his plans for review to the City's Historic [Preservation] Board. Changes included painting the building, affixing an awning on the south, east, and north elevations, and installing a wood lattice to the existing chain link fence. The reopened restaurant later offered a wider menu variety and longer operating hours to accommodate Delray Beach's downtown attractions. In 2005, Hurricane Wilma severely damaged the restaurant's characteristic sign and windows, but these historic elements have since been restored.

In 2014, the property was sold from Philp Vultaggio's trust to the Old School Square Promenade LLC. The Old School Square Promenade sold divided interests in the property to Vito William Vultaggio, Diane Marshall, Cecilia Egan, and Phiip Vultaggio, Jr. in 2019. The current property owners, MDG purchased the property the following year in late December 2020."



Section 4.5.1(B)(3) Architectural or aesthetic significance:

- (a) Portrays the environment in an era of history characterized by one or more distinctive architectural styles;
- (b) Embodies those distinguishing characteristics of an architectural style, period, or method of construction;
- (c) Is an historic or outstanding work of a prominent architect, designer, landscape architect, or builder; or
- (d) Contains elements of design, detail, material, or craftsmanship of outstanding quality or which represented, in its time, a significant innovation or adaptation to the South Florida environment.

The existing structure was constructed in 1951 and is an exceptional example of Masonry Vernacular/Roadside Style of architecture. The one-story commercial structure consists of a rectangular shape with concrete blocks and steel pole supports capped by a flat roof. Large, angled storefront windows and wide overhanging eaves were also included on the building. Constructed in the post-war era of motorist travel, the structure was a prefabricated designed that was typical of 1950s Dairy Queen walk-up restaurants.

In 1993, the neon signage was restored back to the façade. In addition, the exterior was repainted, awnings were installed on the south, east, and north elevations, and a wood lattice was installed on existing chain link fence.

Architectural Significance Statement – from the applicant’s Historic Designation Report:

“During the era of motorist travel in the post-war period, fast-food chains aimed to provide quick and inexpensive meals in an establishment easily recognized from the highway, no matter the location. Dairy Queen walk-up restaurants first opened in 1940, and by 1955, the chain had over 2,600 locations. In the early 1950’s, Dairy Queen developed its design featuring rectangular, concrete block construction with slant or flat roofs, widely overhanging eaves, and large window panels on a significant portion of the building. However, the company eventually dropped this design for the more modern iteration of a barn-like structure.”

“The resource is located on the northwest corner of the intersection of North Swinton Avenue and Atlantic Avenue. The building is a one-story commercial Roadside-style structure constructed of concrete blocks and steel pole supports, and capped by a flat roof, built in 1951. Large, angled window panels partially line the north and south elevations, and completely line the east elevation. Two walkup windows in the glass panels are located on the east elevation. The restored neon sign, "Doc's All American/ Since 1951 Home Owned" is located along the roofline of the east elevation. A more modern, enamel sign that reads "Pepsi/Doc's/Grill & Dairy" is located along the roofline of the south elevation. Two service entrances are located on the west elevation. A circa-1980 concrete block addition that accommodates two bathrooms is appended to the north elevation. A knee wall constructed of concrete blocks is located around the north, east, and south elevations, separated from the building by a concrete patio, containing outdoor tables. A large, blue awning, added in the 1980s, is connected to the roofline and covers the seating area. Despite these 1980s auxiliary features added to make the use of the building more comfortable and accommodating, such as the bathrooms, awning, and patio, the building still retains its historically-significant concrete construction, glass panels, walk-up windows, and neon sign.”

The integrity of the structure and majority of architectural features have been preserved. Based on visual observation, the structure is in good condition. As such, the resource qualifies as eligible for listing to the City of Delray Beach's Local Register of Historic Places as it exemplifies the historical, political, cultural, economic, or social trends of the community in history and embodies the distinguishing characteristics of an architectural style, period, or method of construction.

COMPREHENSIVE PLAN

A finding of Consistency requires that the requested designation is consistent with Goals, Objectives,



and Policies of the Comprehensive Plan adopted at the time of submittal. An amendment to the Comprehensive Plan (Always Delray) was adopted on February 4, 2020, but the application is subject to plan that was adopted at the time of submittal. The applicable Objectives and Policies from the plan effective at the time of submittal are provided below.

Future Land Use Objective A-4: The redevelopment of land and buildings shall provide for the preservation of historic resources. The objective shall be met through continued adherence to the City’s Historic Preservation Ordinance and, where applicable, to architectural design guidelines through the following policies:

Policy A-4.1: Prior to approval or recommending approval of any land use or development application for property located within a historic district or designated as a historic site, the Historic Preservation Board must make a finding that the requested action is consistent with the provisions of Section 4.5.1 of the Land Development Regulations relating to historic sites and districts and the “Delray Beach Design Guidelines”.

Policy A-4.2: In order to protect the City’s historic resources, the Land Development Regulations shall include provisions for designation of historically significant buildings, structures, archaeological sites, or districts. The City shall conduct periodic neighborhood surveys to identify and evaluate potential historic resources at least once every five years.

The proposed designation meets the intent of the applicable Objective and Policies noted above, as it will provide for the preservation of the subject structure, thereby ensuring the protection of an example of this type of style and building. Further, the review above illustrates that the request meets the criteria set forth in LDR Section 4.5.1, which provides for the designation of “historically significant buildings”; therefore, the proposed designation can be considered appropriate. The Public Hearing dates for review of the subject designation by the City Commission have been tentatively scheduled in the next month.

REVIEW BY OTHERS

The **Downtown Development Authority (DDA)** is scheduled to review the request at its September 2021 meeting.

The **Community Redevelopment Agency (CRA)** is scheduled to review the request at its September 2021 meeting.

OPTIONAL BOARD MOTIONS FOR ACTION ITEMS

- A. Move to continue with direction.
- B. Move a recommendation of approval to the City Commission that **“Doc’s”** located at **10 N Swinton Avenue, Old School Square Historic District** be listed in the Local Register of Historic Places by amending Land Development Regulations (LDR) Section 4.5.1(I), by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- C. Move a recommendation of approval to the City Commission that **“Doc’s”** located at **10 N Swinton Avenue, Old School Square Historic District** be listed in the Local Register of Historic Places by amending Land Development Regulations (LDR) Section 4.5.1(I), by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations subject to the following conditions:
- D. Move a recommendation of denial of the City Commission that **“Doc’s”** located at **10 N Swinton Avenue, Old School Square Historic District** be listed in the Local Register of Historic Places by amending Land Development Regulations (LDR) Section 4.5.1(I), by finding that the request is not consistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.



PUBLIC AND COURTESY NOTICES

Courtesy Notices are not required for this application.

Public notice mailers were sent to all properties within a 500' radius of the subject property on (8/19/21).

A notice of the public hearing was published in the newspaper on August 22, 2021.

Agenda was posted on (8/25/21), 5 working days prior to meeting.