



REGULATING NEW CONSTRUCTION IN HISTORIC DISTRICTS

By Eleanor Essor Gorski, AIA

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Cover—Indianapolis, Ind.

Photo by Adrian Scott Fine.

REGULATING NEW CONSTRUCTION IN HISTORIC DISTRICTS

By Eleanor Essor Gorski, AIA

Few building projects evoke more opinions, public meetings, and discussion than new construction projects in historic districts. As preservation goals have become more mainstream and as the number of local historic districts has grown, so has the number of new construction projects proposed and reviewed by local communities and preservation commissions (also called landmark commissions or design review boards).

New construction, as considered in this booklet, can refer to a new home on a vacant lot in a historic streetcar suburb, infill construction in an urban rowhouse district, or a new chain store in a 19th-century commercial district. New construction is often “infill” but can also be a new building in a rural setting or industrial area or other open-space setting. The size of a new construction project can vary depending on the size of the vacant parcel, from a single-family lot to a large, multi-use project on an entire block. This booklet does not specifically address compatible additions to existing historic buildings, although the review process is similar for both types of projects.

Design considerations for new construction in a historic district differ slightly from those for the rehabilitation or repair of an existing building. With changes to an existing building, careful analysis of the existing historic fabric and its condition takes place before any new design elements are introduced. There are many prescriptive standards and guidelines on how to treat existing buildings, both at the local and national level. For design of a new building, the context of the construction site must also be reviewed and respected, but there are more options than for existing buildings. For example, there is much more flexibility in the design of a porch on new construction than the design of a replacement porch on an existing historic structure.



Good design review guidelines will help ensure that new construction in historic districts is compatible with the surrounding architecture. This new home (on the left) in Odgen, Utah, located in a historic district, was winner of the Northern Utah Parade of Homes in 2004.

Photo courtesy of the Utah Heritage Foundation.

This publication explains how to achieve better new construction projects through the design review process, as well as different approaches to new construction. It is intended to benefit preservation commissions of varying levels of experience. The steps and procedures provide basic guidance for newly established commissions. They also serve as a review for more seasoned commissions. The recommendations also take into account the wide discrepancy in resources that are available to commissions. For example, some commissions are assisted by support staff, while others operate with little or no staff. If there is no support staff, the commission staff duties will need to be handled by other planning department staff, or else commission members.

The recommendations that follow will help preservation commissions make decisions on proposed new construction projects, but they do not and cannot provide absolute solutions. Every request for new construction in a historic district is site specific, and what was successful in one location can be a disaster in another. The challenge for preservation commissions is knowing how to make the judgments that will preserve the distinguishing characteristics of the district while allowing expressions of change and adaptation.

BASIC PRINCIPLES FOR DESIGN REVIEW

Most preservation standards and guidelines dictate that new construction in a historic district should be of the highest quality possi-



A new construction project in the Calumet-Giles-Prairie Historic District in Chicago involved building a new rowhouse on a vacant lot between two existing structures.

Photos by Eleanor Gorski.

ble and respond appropriately to its context. These can be fairly subjective goals. Each can be accomplished through the design review process as established by the preservation commission. However, community sentiment and a preference for a particular architectural style can complicate or even negate agreed-upon standards and guidelines.

Design review is an easily defined multi-step process that each new building project must follow before construction can begin. The public is engaged in the process, with the ultimate approval of the design given by a local preservation commission.

Design review serves many purposes: It educates the owner or developer about requirements for new construction; it brings together all the players in the construction and review process; and it allows for public review of proposed projects. Design review of new construction is fundamental to preserving the character of a historic district.

Whenever new construction is proposed for a historic district, however, questions begin to arise concerning what is “good” and “appropriate” design. Some critics say that the review process itself inhibits creativity or forward-thinking design in a project. Assuming that design review is simply a “check” to ensure that new construction reflects the basic character-defining features of a district, then this should not be the case. This check can work both ways—by not dictating or restricting styles, both “good” and “bad” designs may be built, depending on your viewpoint. A contemporary design and a traditional design may both be built in the same district, since both meet the same basic guidelines.

But how can good contemporary design regardless of style be encouraged? Contemporary design (design of its place and time) may meet historic guidelines, but is this what everyone wants?

To answer these questions, the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings offer some guidance for new construction in historic districts. Most preservation commissions throughout the country use these standards to some degree, and they are seen as the basis for design review in many historic districts. Standard 9 states:

New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. New work will 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.

This standard notes three important review considerations within a historic district: characteristics of the property, differentiation of new work from old, and compatibility with existing fabric in terms of materials, features, size, scale, and proportion and massing. But there is no mention of design or style, which leads to open interpretation for any design that meets the broad criteria listed above.

The effectiveness of the standards in guiding “good” new construction is frequently debated, for their language is open to much interpretation. In this sense, it is important to note that the standards are to be one of many guides to assist local commissions in design review and are meant to be interpreted based upon the locality and the particulars of each project. Only Standard 9 is devoted to what has become one of the most challenging demands on local commissions and review boards.

The design of new construction in response to these review considerations depends on the following variables: the skill of the architect, the skill and architectural knowledge of the commission staff and commission members, zoning and code requirements, local politics, and the involvement and temperament of the community. Almost none of these variables can be controlled—but they may be shaped for the best possible outcome, depending on the circumstances and the historic district.

EVOLUTION OF DESIGN REVIEW FOR NEW CONSTRUCTION

In the 1970s many historic districts began to experience their first new construction in years. As with any new endeavor, initially there were no guidelines or review procedures for new construction. In fact, many preservation commissions did not have review authority over new construction in historic districts, just review over changes to existing buildings. Yet as time went on, the review authority of many commissions was expanded to include new construction at the urging of local community groups. As residents saw incompatible construction going up in districts that they had fought to protect, many realized the limitations of the review boards and pushed for this extra level of review.

Many of the guidelines and review processes now in place grew out of the learning curve from this period, responding to these early projects. Today design review by most local preservation commissions includes not only proposed changes to existing buildings but also review of new construction within historic districts.

Design concepts that initially applied to the rehabilitation of and additions to existing buildings were articulated for review of new construction—specifically, that the placement, scale, and design of the new construction should relate to the surrounding district. How this was interpreted in practice eventually developed into guidelines for new construction and was integrated into the design review process for preservation commissions.

LAYING THE GROUNDWORK FOR EFFECTIVE DESIGN REVIEW

The success of the design review process for both the applicant and the preservation commission directly relates to the clarity of the process and the direction given to the applicant at each step. Straightforward direction allows the design to evolve in a linear process and eliminates delays that can cost time, money, and goodwill. This direction must also be consistent at each stage of

the review process as well as consistent with prior decisions on similar projects reviewed by staff and/or the commission.

Participants in the design review process for new construction in a historic district can include some or all of the following: the owner or developer, architect, contractor, project or construction manager, attorney, immediate neighbors of the project, local community groups, business associations, and local government officials. A direct line of communication to the main decision-maker for the project is crucial at the beginning. All of the participants listed above have different priorities that must be addressed properly in the decision-making process. For the purposes of this booklet, “applicant” will be used to describe the main decision-maker in the process, usually the owner/developer or architect.

The Role of the Commission and Staff

A significant resource for effective design review is the commission staff. If the commission does not have professional staff, the functions described below may be performed by planning staff or the commission members themselves. The following is a guide to their role in the review process.

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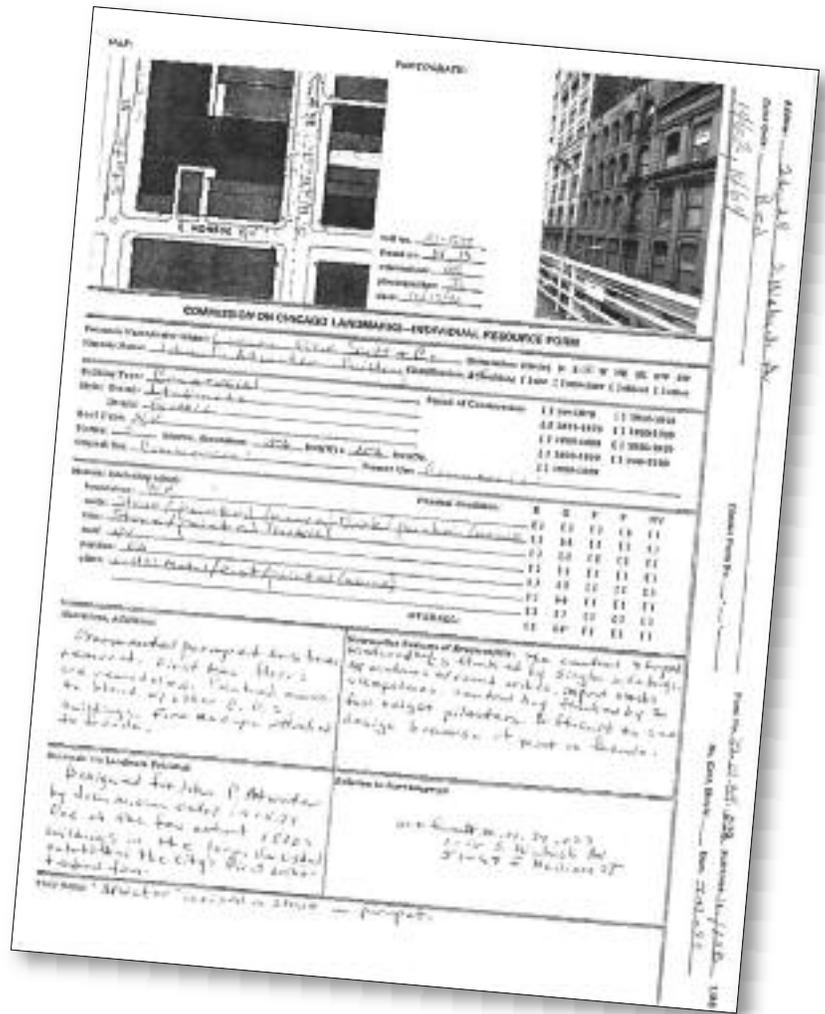
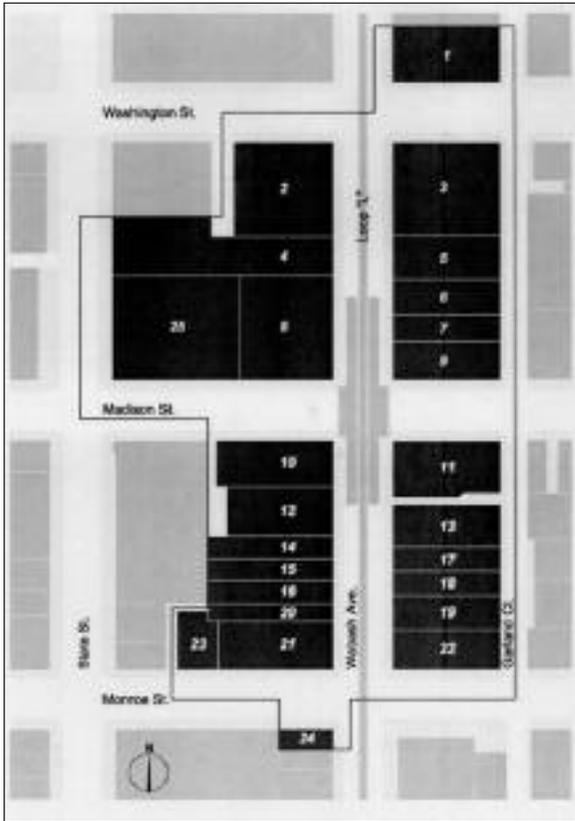
The staff will be the first point of contact on a project, will set the tone for managing the process, and will be the crucial link between the applicant and the commission. Staff needs to balance both the commission’s guidelines with the applicant’s program. And this balance must be achieved while respecting the particular characteristics of the historic district. This relationship varies according to the type of project, but new construction projects usually are the most review-intensive of all projects that may come before a commission. It should be clear from the beginning of the process that the staff is there to recommend any changes to the design based upon achieving approval from the commission, and to assure the applicant that all are working toward a common goal.

Each applicant should be treated with respect as a client, not as an adversary or neophyte. Applicants should be provided with a clear



The incompatible new construction on the corner lot was built before this neighborhood was designated a historic district.

Photo by Della Nolder.



Several planning documents will help applicants and reviewers assess the proposed plans. These include a district map, historic resource survey card (illustrated above), and local design guidelines, among others.

Illustrations courtesy of Commission on Chicago Landmarks.

checklist of materials and information required from them. Staff should be prepared to discuss these requirements, listen to the applicant's needs, and explain the review guidelines. Ideally, staff should be comfortable reviewing and discussing architectural drawings. However, the best professional preparation is useless without good people skills. Good training in conflict resolution as well as stress management may be beneficial.

Applicants should consider the staff as part of their team during the design and review phase of the project and keep in close contact. They must inform staff when changes are made to the project, for budgetary or other reasons, during this stage as well as afterward. This relationship may continue through the construction permitting phase of a project and during construction. Again, any changes during these later phases after

design review should be reported by the applicant to staff, and staff should in turn be monitoring the progress of the project.

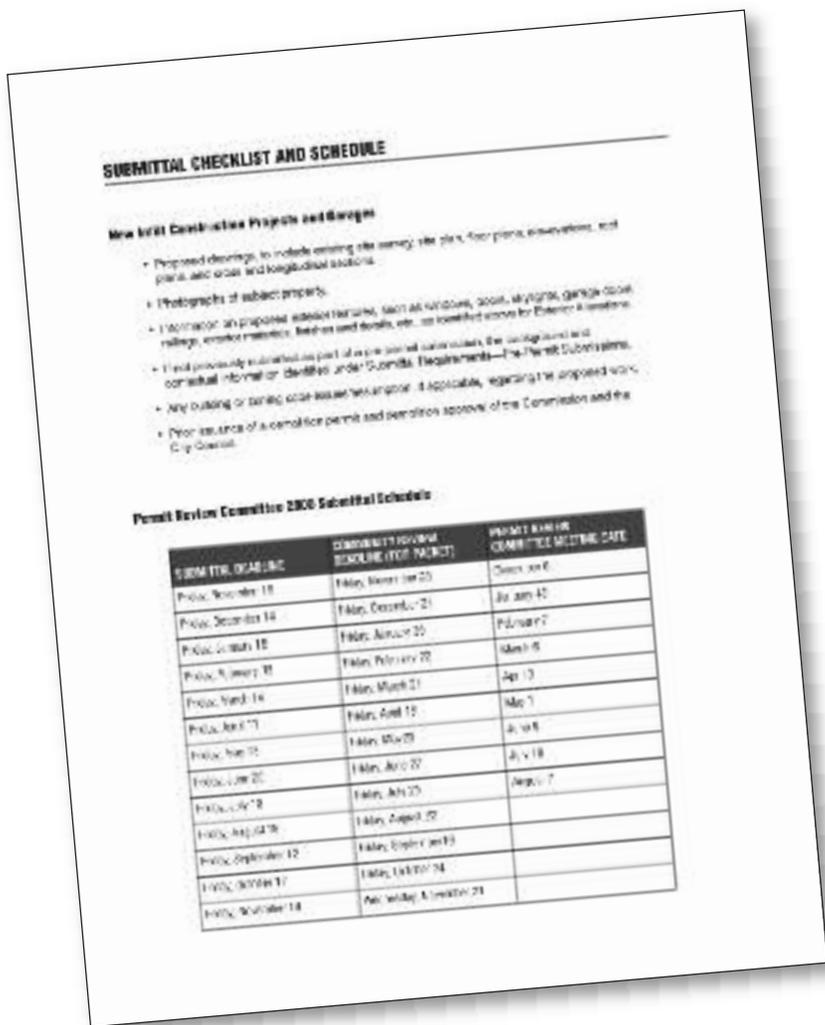
Fundamental Information

Ideally, before a new construction project can be reviewed, all parties involved should assess the existing historic fabric and any governing plans. Several tools should guide this assessment: the local historic designation ordinance, the local historic resource survey, and/or any local design guidelines or applicable district plans.

The applicant and reviewers should be familiar with the local historic designation ordinance, which describes at a basic level the character-defining features of a district. This ordinance defines the physical boundaries of a district and often refers to a period of significance.

The applicant and reviewers should also consult the historic resource survey or inventory for the historic district in order to be familiar with the specifics of the proposed site and the neighboring buildings. The survey usually includes photographs and descriptions of the buildings surveyed keyed to a map. This useful tool will allow preliminary discussions about compatible new construction to occur without extensive preparation by the applicant.

Design guidelines or district plans may have already been developed to deal with the question of new construction. These guidelines may be broad to apply to a variety of districts (i.e. commercial and residential) or they may be specific for individual districts. Often design guidelines are developed for a district that has a large proportion of vacant land, and especially where there has been contentious debate



TIPS FOR A SUCCESSFUL DESIGN REVIEW PROCESS

- Consider showing the applicant photos of other projects as examples, but with caution to avoid an applicant “copying” another project and expecting instant approval.
- Try to stay objective and not make subjective comments.
- Listen to the applicant and respond to his or her needs.
- Do not become argumentative or judgmental.
- Make sure all commissioners have a chance to comment on a project.
- Don’t let one person dominate the discussion.

A detailed checklist of required information and schedule for review deadlines should be available to applicants in print and online.

about previous new construction or where there are particular site/development conditions that may not be seen elsewhere.

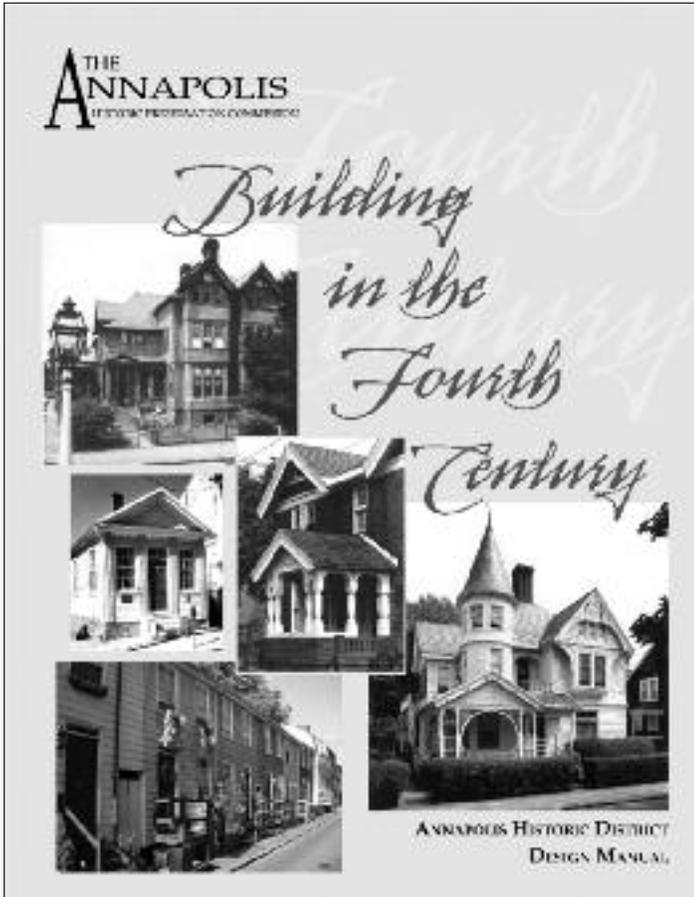
The traditional land-use zoning of a district plays a huge role in determining many design aspects of the projects that will be considered. The zoning for a district may be far more lenient regarding the size, massing, and site coverage than is appropriate according to historic designation standards. However, what is allowed by zoning does influence the economics of a project, and this must be acknowledged by the commission staff and members. Ideally, commission staff should understand conflicts between the zoning and historic requirements, and staff should be prepared to address them when first meeting with an applicant.

A published checklist of materials and information required in submittals for commission review and a schedule of review deadlines is an important tool for keeping a project and commission staff on track. As with any public information, it is imperative that this is available online. Many communities find it useful to publish this information in a variety of formats (pamphlets, newsletters, newspaper inserts) as well as in other languages. This public checklist makes it clear to applicants what will be asked of them and ensures that all applications are treated equally and fairly. A schedule of annual review deadlines allows applicants to plan their project and to understand the timing of the review process. Again, this reduces pressure on staff to accept last-minute submittals, which is not ideal.

Commission staff should have access to well-organized files of past projects and commission decisions to ensure consistent and predictable decisions among projects, and to familiarize new staff with precedents. Staff familiarity with previous decisions makes applicants more comfortable with the review process.

DESIGN REVIEW PROCEDURES—STEP BY STEP

The design review procedure will vary in complexity and formality according to each municipality, the commission staff (if there is one), and commission members. But the design review process usually can be broken down into the following six steps:



A design manual that includes clear design guidelines illustrated by photographs and drawings will help with new construction projects.

Illustration courtesy of Historic Annapolis Foundation.

comments and recommendations and submit a final proposal that addresses these comments. Any disagreements will need to be highlighted and explored further in the final commission review discussion.

4. Review by Local Community Group(s)

This step is sometimes taken voluntarily by applicants (who want support from their neighbors). Other times it is required by the commission before its final review. Ideally, comments from a community group are conveyed to the commission via letter, for the record.

Many preservation ordinances require agendas to be publicly posted in advance of the meeting to meet requirements for public notice. Though not required in some ordinances, many commissions also use the internet for this task. In addition to posting meeting agendas, they may post short notes on the nature of the project up for review and, perhaps, the decision letters sent out after the review meeting. This allows for transparency of the process and a public record for all to reference.

If community review is desired by the commission, this usually must be coordinated separately, for public notice of a meeting is usually given not more than one week ahead of time. This is not enough time for

1. Preliminary Application Review

During this preliminary review, the applicant discusses the project with commission staff for the first time. Ideally, this review occurs before any final design work has started so that the character-defining features of the particular historic district may be discussed. It is important at this initial meeting for the staff to explain to the applicant the standards and guidelines pertaining to new construction and clearly state that many design solutions would meet the guidelines. This is often a surprise to applicants, who are expecting to be asked to design a structure in a historical style. At this meeting, staff should provide the applicant with the checklist of required materials for submittals and the review schedule.

2. Review of Submittal

After the applicant submits the schematic drawings of the project, the commission staff reviews the drawings, which should illustrate massing, proportion, site, and basic design elements in relationship to the neighborhood

context (See “Design Concerns for New Construction” section). Comments on the project will then be given to the applicant either verbally or in a letter, based upon the review tools described above. Depending on the scale of the project and the amount of comment generated, written comments may be necessary. Written comments also serve as a record upon which to compare future draft designs. If verbal comments are given in a meeting, careful meeting notes should be recorded for the file.

The timing of this step of the review process can vary based upon the compatibility of the original design and the responsiveness of the applicant. It may take a few weeks to a few months, based on the discussions between the reviewer and applicant.

3. Preparation of Final Submittal

When all issues have been resolved, the applicant is then ready to present a final submittal for public and commission review. The applicant should respond to the staff

INFORMATION TO INCLUDE IN A STAFF REPORT

- Summary of site conditions/ address/district
- Purpose of review (referenced to local preservation ordinance)
- Applicants’ names and roles in project
- List of applicable standards/ local guidelines
- Staff analysis of how project does/ does not meet the above standards and guidelines
- Staff recommendation with any conditions of approval

most community groups to assemble and thoughtfully review a project. Therefore, notice to the relevant community group(s) should be given at least two to three weeks before posting the agenda.

5. Review by the Commission

This review typically takes place in a public meeting in which the applicant, commission staff, and community members can hear the deliberations of the commissioners over a project. Commission staff prepares an analysis of the new construction in a staff report, noting how it responds to the standards and guidelines. Any outstanding issues should be highlighted for the commissioners and recommended conditions of approval noted for the record. If staff is recommending a denial, staff must also present the case in the same way by explaining how the design does not respond to the guidelines and by making recommendations on how to proceed with a new submittal.

It is important to follow rules of order and standard meeting procedures for such a meeting, allowing the applicant and the public time for comment before a decision is reached by the commissioners. In some cases, the applicant may ask to make a presentation as well, especially if there is a contentious issue involved. The commission chair should keep the meeting focused on the goal of approving compatible new design and not allow the discussion to stray into community politics or design preferences.

If the commission makes its decision during the public review meeting, the commissioners present for the meeting should vote, and the decision and vote should be noted by commission staff for the record. The staff should read back any conditions of the project to the commission to determine that the discussion was accurately recorded.

6. Record Letter of Approval or Denial

The letter of approval needs to clearly state for the record all the pertinent information needed for the new construction to go forward. All participants in the process (owner, applicant, contractor, community, etc.) should be copied on this record letter. The letter should include the following information:



Aldo Rossi's Scholastic Building (1995) in the SOHO cast-iron historic district in New York is a classic new construction infill design. Both the front (top) and rear (bottom) elevations interpret in a new way the massing, scale, proportions, and architectural detailing seen in the district.

Photos by Eleanor Gorski.

1. A list of the materials that the commission reviewed, which includes the date or specific version of each document.
2. A reference to any applicable standards or guidelines that the commission used to review the project.
3. A list of any conditions that the commission imposed upon the project in order to have it approved. These conditions should have real deadlines attached to them; for example, "Paint samples to be submitted before applying for permit." Or in the case of a denial, recommendations on how the design problems may be remedied to allow the project to be approved.
4. A clear time frame: Is the approval only good for a particular time period before the applicant must return to the commission for a re-review?

This record letter should be easily understood by future commission staff and subsequent property owners. The commission should set a termination date on its approval; there should not be a blanket approval for an unlimited amount of time since circumstances change and experience brings additional knowledge. This letter and the referenced documents are the best assurance that the project that was discussed in the design



review process will be built per all the participants' expectations. If the review process itself had been contentious or lengthy due to extensive discussions, it may be appropriate to summarize the process here for the record.



The window openings, roof line, and materials of this new mixed-use building in New Haven, Conn., (left) are compatible with the historic buildings further down the block.

Photo by Adrian Scott Fine.

HOW TO DETERMINE COMPATIBILITY FOR NEW STRUCTURES IN A RELATIVELY (VISUALLY) CONSISTENT HISTORIC DISTRICT

By Pratt Cassity, director, Public Service & Outreach, University of Georgia with assistance from Dan Corson and Joe Saldibar, Colorado Historical Society. Reprinted with permission.

The process for determining visual compatibility for new construction is one of those things that confounds, aggravates, and annoys. The following easy-to-remember guide for determining compatibility should help. Note that there is no mention of style, date, or other information that normally describes the building for other historic preservation purposes.

The Secretary's Standards state that we need to discern new from old in infill construction. That charge can be interpreted as taking a fresh approach to new construction. Take a FRESH approach! Use these five tests to see if a new building will fit in. They won't guarantee good design, nothing can; but they can keep the intruders out and make the new building re-FRESH-ing!

FRESH...Infill should be **FRESH!**

- F - Footprint and Foundation.** The footprint and foundation of the new structure should be similar to the ones surrounding the new structure.
- R - Roof shape.** The new roof should match existing roofs in pitch, complexity, and orientation.
- E - Envelope.** If you shrink-wrapped a building and removed everything but the shrink-wrap, that is the envelope. The new structure should match the existing ones in projections, height, bulk, relationships between height and width, etc.
- S - Skin.** What is the envelope clad in? What is the surface material and what are its characteristics? New structures should be clad in a visually and physically similar material.
- H - Holes.** Where are the doors, windows, attic vents, etc.? How are they divided and segmented? Is it an asymmetrical arrangement or is it more symmetrical?

And for a French touch to FRESH, try Lé FRESH

- Lé - Landscape elements.** Driveways, sidewalks, fences, tree canopy, retaining walls, foundation plantings (or not), appurtenant structures (garages, tool sheds, garden pavilions), lighting, level of formality.

Note: This mnemonic trick helps make buildings fit in; it does not help them be great architecture.



Submittal materials for proposed new construction projects should include a street-view photo, a block site plan, and a streetscape elevation showing the proposed new infill.

Illustration courtesy of Robert P. Lizzo, Architect.

DESIGN CONSIDERATIONS FOR NEW CONSTRUCTION

The proposed new construction does not have to replicate the existing style of the surrounding architecture, but it should be compatible. The proposed project should be evaluated for its compatibility with the surrounding historic district based on a number of criteria. These include:

- site placement
- height, massing, proportion, and scale
- materials
- development patterns
- architectural characteristics (ornamentation and fenestration)

How these criteria are applied depends on the type of project and its location. For a productive design review process, a clear explanation of each of the above considerations should preface the checklist of required materials and information to submit, since they directly relate to illustrating and addressing these considerations.



The new construction on the right shares a common front yard setback, height, massing and scale, wood cladding materials, and architectural details with the historic house on the left.

Photo by Adrian Scott Fine.

Site Placement

The first step in reviewing site placement is to analyze the setback of neighboring properties or, if these are not uniform, of the entire block. The building setbacks should be mapped in relation to the property lines and any pattern should be noted. Often these existing setbacks are uniform, for they were based upon the zoning requirement of the time or local traditions. Where variations exist, the dimensions of property types that most resemble the proposed new construction should be viewed as the significant ones. For example, if there is a mix of apartment buildings and commercial properties on a block, the site dimensions for the apartment building should be used as the governing dimensions if the proposed project is an apartment building.

Also determine whether there are other site conditions particular to the district that must be respected, such as landscape elements,

yard size, uniform or shared driveways, or rear lot-line garages. Staff should review these conditions up front with the applicant and request that they be taken into consideration when planning any new construction.

If the development is large and will affect more than one block when it is built, reviewers may need to look at the streetscape elevations and block plans for a few blocks. In this case, an alley pattern may need to be established or streets reconnected. This becomes not just a historic design review process but also a planning process in which cooperation with other city agencies, such as planning and zoning, is critical. Staff should meet with representatives in these departments early in the process so that historic compatibility considerations are not lost in the larger picture.

Height, Massing, Proportion, and Scale

A complete streetscape elevation, either photos or line drawings, should be reviewed to determine compatible height and massing for the new construction. Overall heights as well as dimensions of major architectural elements, such as raised first floors, porches, cornices, etc., should be illustrated and accurately noted where possible. The height of the new construction should fall within the ranges seen for the block, and if there are varying heights among different building types, again the dimensions for the building type proposed should govern.

Materials

Common materials used throughout the district should be noted as well, including color, texture, and the way they are used. For example, wood shingles may be prevalent but are only used on the second floors of cottage-style houses. And they are always

painted, not left natural. Would a proposed project that calls for natural wood cedar shakes that entirely clad a new building be compatible with the district?

Development Patterns

Reviewers should note if there are any patterns to the development of the district. Are corner buildings taller and more elaborate than those seen mid-block? Do certain building types or designs share characteristics that others do not, such as a regular window pattern for the colonial revivals in the neighborhood? Are all the doors located on the right on a particular block? Do adjacent houses share a driveway? Where are the garages located? Though these details may seem picky, they are worth noting to applicants so they can appreciate the context in which they are fitting the new construction.

Zoning

The overall zoning and massing envelopes for new construction are usually easily determined simply by observing and analyzing the surrounding area. Zoning is the regulation of land and building use through districts or zones to control the character and built envi-

ronment of a place. Zoning often defines the permitted yard size of a lot, required open space, and maximum building area. FAR or floor-area-ratio defines the permitted area of the building as a ratio of the area of the lot. For example, a 2 FAR would permit a building with 2 times the gross area of the lot to be constructed.

Architectural Characteristics

With the overall context established, discussion of the architectural characteristics proposed by an applicant can now occur, which is the most challenging aspect of design review. In some cases, such as a planned community or a rowhouse district where all building elevations are the same, the architectural details are fairly consistent and the new construction should take into consideration what is seen throughout the district. But more often, districts have buildings in various styles built over an extended period of time. The elements and details of these styles should be noted for discussion purposes. For example, raised front stoops with double doors may be common throughout the district and this element is found to cross over many design styles. This would be an impor-

tant architectural characteristic to note and perhaps interpret in any new construction. But how does this work in practice?

It is at this point that the skill of the project participants and the desire of the community and commission must all come together.

The applicant should be reassured at the first meeting that although new construction must be compatible with the existing district, the style to be used is not dictated by the review board. Staff should listen carefully to the desires of the applicant and recognize the limitations of his or her design capability. Is this a wealthy client with a team of architects willing to explore many options? Or is this a family that has hired a builder to work from a set of blueprints purchased over the internet? Does the applicant already know much about the area and the community or is this a speculative developer who simply wants the most return for the least amount of effort?

For each of the above scenarios, the design discussion will take a different route. At the most basic level, the proposed design should meet the considerations set forth in the standards, in any design guidelines, and in district plans. (In our stoop example above, this would mean taking a conservative approach in the new construction and designing a stoop with double doors for the front entry.) For those projects that can be pushed further, the process becomes collaborative and may be extended to look beyond what would meet the basic requirements. (The revised stoop could then be done in different materials or with contemporary detailing.) Or, applicants may have a set vision for their new project with any changes requiring major discussion among the team and staff. (The applicants don't want a stoop at all; they want a covered, wrap-around porch.)

In any case, staff should work with applicants to prepare for a successful submission at the public commission review. This also includes arranging any community reviews that could be required. The limitations of the individual applicants and their design preferences should be recognized and respected, and their design preferences accommodated as much as possible without compromising the character of the historic district.



The design of new construction projects should take into account development patterns as well as architectural details that appear consistently throughout the district, such as roof shape, building height, and window openings.

Photo by Byrd Wood.

COMMON PROBLEMS ASSOCIATED WITH REGULATING NEW DESIGN

Based upon the various responses to our “stoop” example above, it is easy to see that troublesome disagreements can arise during design review.

Exact Replication

If the applicant is in love with colonials in the neighborhood but wants a home with the modern conveniences available with new construction, then the design should respect the scale, proportions, materials, and massing of homes seen in the district, without replicating them. But what if the applicant wants to replicate one? It can be difficult to explain to the applicant and possibly a community group why this is not appropriate, and how to subtly differentiate the new house from the existing ones. Most applicants or residents of historic districts love their neighborhood for these buildings—why would they want to introduce something different? In this situation, “correct” infill design may appear to be an academic exercise that will please no one.

At this point it may be helpful to review examples of completed projects. In most cases, even the most careful “replication” in infill construction will not match the neighboring buildings, sometimes leading to disastrous results. The desired details of an old building, such as tight mortar joints and weathered brick, are rarely seen in new construction. Projects that had the best intentions have ended up looking like caricatures of the buildings they were meant to emulate. This does not mean it can’t be done, but exact replication is extremely costly in terms of both money and time—something many applicants are not aware of.

Out-of-Scale Projects

What if applicants want to build a new building that does not meet any of the design criteria in a district? For example, in a district of small urban cottages an applicant proposes to build a large suburban-style house that cannot possibly be shoe-horned into the site—no matter what the design. Or in an urban commercial district of three-story buildings, the applicant wants to build a one-story retail space, for this is what the current economy is



The architectural detailing on this storefront elevation is contemporary but compatible with other buildings in this commercial district due to the use of similar materials, proportions, and massing.

Photo courtesy of the Commission on Chicago Landmarks.

supporting. In either case, staff must inform the applicant about the limitations and the risks in pursuing such a project. Staff must be skilled in managing expectations from applicants, noting the historic character of the district and the desire to preserve that in all projects. Ideally the applicant can then begin working with staff to achieve a more compatible design, or he or she may consider a more suitable location for the project.

Interpretation of “Differentiated from the Old”

The Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings state that a new design should be “differentiated from the old.” This is sometimes taken to an extreme, when applicants propose a contemporary design that would distinctly stand apart from the existing buildings in the district, drawing attention to itself instead of working as part of the ensemble of buildings. In a district with a long period of significance and many different building styles, it is easier to make an argument for such a distinctive contemporary design. In a district with more consistent building styles

and with very little new construction, this becomes more difficult. The degree to which such a building would stand out and not be compatible can be measured somewhat but is also subjective.

Still, designs reflecting current styles and tastes should use siting, massing, proportion, and materials to achieve compatibility with the surrounding district. Staff should communicate clearly with any community or business groups so that building owners or residents understand what is required to make a contemporary design also a compatible one. As with any design, it is important not to “water down” the concept so that it turns into a mediocre ghost of the initial proposal. The goal should be to allow the applicant’s vision to come through so that he or she is satisfied with the process while aligning the design with the standards and guidelines.

Sometimes architects will “dazzle” reviewers with the boldness of their vision or their reputations—and this can wreak havoc within the review structure. This comes back to the importance of following the basic submittal checklist, schedule, and guidelines. It is



Good or bad example? Many factors go into decisions about what constitutes compatible new construction in a historic district. As a contemporary structure, this building clearly reflects its time period, and the roof line is stepped down to be in line with neighboring buildings. While it is higher than the others, corner buildings can generally accommodate greater height than those placed mid-block. This building is located at the edge of a historic district immediately adjacent to a large roadway.

Photo by Adrian Scott Fine.

important that each design be reviewed in the same manner no matter how “dazzling” it may be, to provide consistency and fairness throughout the review process. The commission and community must support the enforcement of the review framework as laid out in these documents. Staff analysis, recommendations, and reports should be based on the standards and guidelines and address every issue. Often such a project may pass without any changes, but it must go through the complete review process and be documented as having done so nonetheless.

Mediocre Designs

What about mediocre designs that are not strong to begin with, yet meet the standards and guidelines? These types of designs should be carefully reviewed to determine if any improvements can be made while still respecting the budget and design limitations of the applicant. Commission staff should be careful not to recommend changes that may appear to be “preferences.” Recommended changes should clearly be based on better meeting the standards or guidelines. For example, an applicant wants to use a brown-red color of brick, while the predominant



The placement and mass of this garage in Houston, Tex., overwhelm the historic house next door.

Photo by David Bush.

brick color in the district is red. Would this deviation cause it to be incompatible? Or an applicant wants to use a gabled roof on a building with a false parapet front to conceal it, in order to match the other flat roofs in the district. The applicant may have the right intentions, but the commission needs to consider whether or not this design detail will be compatible with surrounding buildings.

Stock Building Plans

An architect is not always needed to obtain single-family house plans. Stock plans may be purchased from a catalog, and there is a long historic precedent of “pattern-book” plan houses built in many historic residential districts. So what is the problem when an applicant chooses a contemporary stock plan to build in a historic district? The same issues of siting, massing, materials, and architectural details will need to be reviewed to determine the proposed building’s compatibility with the surrounding properties.

But difficulties can arise when staff requests design changes to achieve better compatibility. Often the most basic changes will be to the massing and materials. Sometimes, when a design is just too far off, it is best to encourage the applicant to explore other stock designs that may be more compatible. Often, the applicant is the homeowner and he or she is unwilling to make changes because of a lack of architectural expertise or concerns over increased costs. Community groups can serve as great resources in these situations by putting the homeowner in touch with architects and contractors who will assist in such a situation, to help produce a compatible design.

Bias by Commissioners

Personal biases are hard to get away from in any situation, and this is certainly true in the often perceived-to-be subjective exercise of design review. Commission members may shun contemporary or other styles, or too heartily embrace them. The best way to avoid these biases, either on a staff level or at a community/commission level, is to have a varied group of reviewers with different expertise and interests comment on a project. Most commission ordinances require that the membership include a mix of professions for this very purpose, and this mix may help provide objectivity in the decision-making



Good or bad example? The third story of this new infill building is stepped back from the main facade, making the street facade more compatible with the surrounding two-story buildings. The large display windows attract the attention of passersby continuing the feel of a small-town commercial streetscape. The overall mass and proportions, however, overpower the smaller storefronts in this downtown historic district.

Photo courtesy of the National Trust for Historic Preservation.

process. And community groups by their very nature often have a variety of differing viewpoints. The commission staff managing a challenging project should also confer with the other staff or commission members on critical decision points or precedent issues, to confirm that his or her recommendations are in line with the standards and guidelines.

But what happens when an entire commission has a bias against contemporary styles of design? Education is the key in this circumstance. Workshops to discuss the standards and guidelines should be held regularly to help commissioners understand how to evaluate contemporary design. Good examples of new construction projects from different cities and districts can show what is possible and acceptable. And there are different types of contemporary design, just as there are variations in styles from any era. It may simply be a reaction to the unfamiliar, rather than a real bias. Design training also helps commission staff to be more knowledgeable when working with appli-

cants who are willing to move beyond traditional and replicative design. Applicants, in turn, will know that their designs will be given a fair review. It is hard to encourage good contemporary design if the commission is uncomfortable with it.

Out-of-Date Information

Commissioners and commission staff should keep up-to-date on the latest construction materials, technical advances, and design trends as well as any new products in the marketplace. New materials are being introduced every year, and staff should be aware of their compatibility with the standards and guidelines.

Commission staff should also be familiar with the costs associated with construction projects, for what may seem like a minor change could be a major budget issue for an applicant. Understanding what a recommended change will cost allows staff to prioritize recommended changes to best suit the circumstances.



After the commission has signed off on a project, it should monitor the construction, if possible, to determine that the project is following the approval conditions.

Photo by James Lindberg.

FOLLOW THROUGH

After the proposed design has passed through the commission, the hard work is done, right? Not quite. You're about halfway through. A decision letter or certificate to the successful applicant should follow the hearing. This letter or certificate is a record of the decision and could be needed for later enforcement of it. (See step 6 of "Design Review Procedures")

This letter, a copy of the materials the commission reviewed, and any material samples should be filed in one place for future reference. When building permit review is under the purview of the commission, this information should be used to check that the project submittal for a building permit matches the project approved by the commission. In any case, the new construction

should be observed by the community and by staff to determine that it is following the approval conditions.

Some municipalities have building inspectors who are made aware of these approval conditions and will inspect sites with this knowledge. Some reference to the approval should be on the construction site, either noted on the permitted set of construction drawings, within the posted building permit itself, or maybe in a separately posted certificate of appropriateness. Cooperation between city departments and the community is critical at this time. By noting quickly when construction is deviating from the approved plans, later legal action and non-conforming infill may be avoided.

AFTER CONSTRUCTION

All members of a project team learn from the process—this should also be the case with the commission, staff, and community. A year-end analysis of completed buildings could show the hits and misses by the review process. A problem detail or a hotly debated material may turn out not to be such a big deal after it is placed in context. Or the opposite may prove true—that a questionable approval should not have passed after all, and the only way to learn from this is to revisit the projects after completion. Also, consider how did a project go wrong? Where in the review process or construction phase of the project did communication break down? These questions should be explored, again to improve the process for future projects.

A yearly awards program for the best projects also encourages more good design and calls attention to the diverse projects that meet commission approval. The media attention from an awards program is beneficial for the commission and for the projects that are highlighted.

All preservation commissions should strive to encourage, promote, and approve good design for new construction in historic districts. Achieving this relies on the participants in the process, the review process itself, and the follow-through after a project is completed.

ABOUT THE AUTHOR

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WHAT IS THE ROLE OF COMMUNITY IN MONITORING INFILL CONSTRUCTION?

It is vital that the community be involved in encouraging good new construction, and the community is the immediate beneficiary of it. However, community members often bring issues into a design review process that are outside the standards and guidelines that govern the process. And this is not easily understood by many who view design review as an ad hoc process in which all issues should be put on the table. Though often valid, community concerns should be viewed in the context of design review and the standards, and decisions should not be based upon concerns outside this context.

Since commission design review meetings are typically public, the community can often present views at this forum. The commission may encourage an applicant to meet with the community prior to the formal hearing in order for the applicant to understand any concerns and deal with them sooner rather than later. This gives the community a chance to be heard and to compose thoughts about the project ahead of the commission meeting, and possibly submit a letter for the record regarding the project. This also allows the commission to stick to its charge to review a project based upon the standards and guidelines and not to get involved in neighborhood issues.

Community members can also assist in the enforcement of the approved design decisions during the construction phase. Their proximity to and interest in the project naturally make them “deputy” building inspectors—which is only effective if they know what to look for. This relationship should be encouraged by commissions, for the public can play an important role in the process.

Community tours and special events can help residents learn more about the historic character of their surrounding neighborhood and become more familiar with the design review process.

Photo by Adrian Scott Fine.



The new construction at the left matches the overall height, floor levels, and raised front entrance of the historic structures to the right. Though simplified, the architectural details and size of the window openings are compatible with the surrounding district.

Photo by Eleanor Gorski.

RESOURCES

National Alliance of Preservation Commissions (NAPC) represents the nation's preservation design review commissions. NAPC provides technical support and manages an information network to help local commissions accomplish their preservation objectives. The Alliance also serves as an advocate at federal, state and, local levels of government to promote policies and programs that support preservation commission efforts. For more information go to www.uga.edu/napc.

ADDITIONAL READING

A Sense of Place: Design Guidelines for New Construction in Historic Districts. Philadelphia: Preservation Alliance for Greater Philadelphia, 2007. (Available as PDF at www.preservationalliance.com/publications/SenseofPlace_final.pdf)

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