

Ad Hoc Historic and Residential Preservation Committee
Working Draft Summary Outline #142 of Preliminary Findings and Recommendations
(067.252.08)

1) Consolidation of Committees and Administration

- a) The Landmarks Preservation Commission and the Building Review Committee should be dissolved and succeeded by a new Community Preservation Commission (CPC) to be constituted by no less than 7 members, with staggered terms.
- b) The CPC would be the governing body for the administration of a new Community Preservation Ordinance (CPO). The CPO would combine, coordinate and amend the Demolition Permits Ordinance and the Landmark Preservation Ordinance to provide for the:
 - (i) review of resident applications for the creation of Conservation/Historic Districts and the making of recommendations to the Village Council as to the same;
 - (ii) review of resident applications for Landmark Designations of their properties and making of recommendations to the Village Council as to the same;
 - (iii) review of Demolition Permit Applications;
 - (iv) promotion of community preservation; and
 - (v) education of the public as to matters relevant to the history and architecture of the Village.
- c) No change is recommended by the Committee to the existing LPC ordinance (i.e. completely voluntary ordinance), besides the combining and coordination of the existing BRC and LPC ordinances as stated above.
- d) The Community Preservation Ordinance would apply to residential and commercial buildings.
- e) The CPC would be authorized to make recommendations, at the owner's request, to the Zoning Board of Appeals relative to variances for GFA, RLC, and side yards for existing buildings that are sensitive to the character of the existing home and are necessary to modernize a home. The Zoning Board of Appeals would be mandated to give due deference to such recommendations. These recommendations would

be a tool used to encourage owners to expand, rehabilitate, restore and remodel structures as opposed to demolition. The CPC would serve as an ombudsman to residents who want to rehab their homes and have difficulty with building code and zoning issues.

- f) The authority and function of the Design Review Board should be expanded to include new construction to the extent provided in the Community Preservation Ordinance. The role of the Design Review Board would be integral to the success of the Community Preservation Ordinance.
- g) The CPC would encourage owners to preserve and renovate their properties. The CPC would also make recommendations to the Village Counsel for property maintenance initiatives.
- h) Under the CPO priority plan review status should be given to renovations.
- i) The CPO would impose a Preservation Impact Fee on certain new construction (for which a building permit is issued in connection with a Demolition Permit Application for a Preservation Priority). The Preservation Impact Fee would be a percentage of the ~~sale price~~ upon accessed market valuation payable at some to be determined point in time. The point in time for payment should be established to try to minimize the effect of the PIF on residents as opposed to merchant developers. ~~first title transfer of the subject property to a bona fide purchaser following issuance of a Certificate of Occupancy; provided, however, that the Preservation Impact Fee would be waived for sales made more than five (5) years after issuance of the Certificate of Occupancy and for sales where the previously existing/demolished building had been determined to be a “Non-Preservation Priority” (as explained below).~~ Funds collected could be used for:
 - (i) education efforts;
 - (ii) dedication to the public of preservation easements;
 - (iii) parkway and/or front yard landscape improvement grants for individual property owners;
 - (iv) aesthetic public improvements throughout the Village (such as streetscape);
 - (v) energy conservation efforts;

- (vi) acquisition of "Preservation Priorities" (as explained below) for renovation, preservation and resale; and
- (vii) Village affordable housing initiatives.

2) Architectural Inventory

- a) There is a need to better understand the historic properties, neighborhoods and business districts as well as open public spaces such as parks, cemeteries, and other architectural sites. This can only be accomplished through an architectural inventory. Such a repository of information should be available to residents, developers, architects, schools and Realtors.
- b) An architectural inventory would foster better understanding of preservation, redevelopment and zoning within the Village.
- c) An architectural inventory is necessary to effectively make knowledgeable decisions and recommendations to the Village Council and an integral part of the Community Preservation Ordinance in evaluating demolition applications, landmark designations and Conservation/Historic Districts.
- d) An architectural inventory would be helpful for the public safety of residents in identifying properties during emergencies and the Department of Community Development for the purpose of providing visual and blueprint records.
- e) An architectural inventory would be important as an educational tool for schools, clubs, and various village organizations by making available data on the historical identity and character of the community.
- f) An architectural inventory is also important in determining and/or prioritizing:
 - (i) buildings that are Non-preservation Priorities and for which redevelopment is appropriate;
 - (ii) buildings that are Preservation Priorities; or
 - (iii) buildings where incentives should be applied and efforts made to encourage renovation.

3) Conservation/Historic Districts

- a) Resident applications for the creation of Conservation/Historic Districts would be submitted to and reviewed by the Community Preservation Commission. After review of the application the CPC would make a recommendation to the Village Council. The Village Council would have final jurisdiction on establishing a Conservation/Historic District.
- b) While creation of Conservation/Historic Districts should be voluntary endeavors of the involved residents, the CPC could aid these endeavors by:
 - (i) providing materials and information about Conservation/Historic Districts and the benefits of same to interested residents;
 - (ii) education initiatives;
 - (iii) promoting tours and publishing information about the history and architecture of the Village; and
 - (iv) being a resource to aid residents in better understanding the financial benefits, incentives and tools available to Conservation/Historic Districts.
- c) Contributing buildings in Conservation/Historic Districts would be defined as Preservation Priorities; noncontributing buildings would not be held to the same standard as Preservation Priorities.
- d) Incentives and bonuses (through zoning and design review) would be needed to encourage an owner/builder to design a replacement building that is sensitive to the contributing buildings already existing in a Conservation/Historic district.
- e) A goal of the CPC would be to support restoration and additions, being mindful of front and side evaluations, streetscape and appropriateness.
- f) Should residents desire to establish a Conservation/Historic District, it would be done on a neighborhood basis, and require at least 80% of the residents in a defined neighborhood to be in favor of establishing themselves as a Conservation/Historic District and Village Council approval.
- g) It is important to preserve the character and integrity of the Village and its neighborhoods, not just a few architectural gems in the village. Conservation/Historic District designation would be one way to achieve this and create a sense of cohesion as a Village.

- h) Potential incentives/benefits for property owners in a Conservation/Historic District are:
 - (i) property tax freezes;
 - (ii) local/state/national awards/grants;
 - (iii) dissemination of preservation resources; and
 - (iv) enhanced sense of pride and recognition in the importance of neighborhoods.

4) Landmark Designations

- a) There are currently 27 buildings in the Village that have been granted local, certified or National Register landmark designation. Of the approximately 4,500 properties in the Village, it is possible that up to 400 homes, schools, commercial and public buildings could meet the criteria for landmark designation.
- b) An architectural inventory would permit a more accurate estimate of the number of potentially qualified buildings.
- c) Development of an educational program that would make residents, commercial building owners, schools, and other interested persons more knowledgeable of the landmarking process would be a charge of the CPC. Through mailings, booklets, and multi-media methods the Village could be more informed on the steps and process for landmark designation.
- d) The CPC would foster and promote property tours, neighborhood meetings and establish school curriculum programs that would focus on architecture and landmarks on a local as well as national basis. This could be done in conjunction with tours of the Log House and other landmark buildings within the Village.
- e) The current Landmark Preservation Ordinance regarding applications for landmark designation, alterations to an existing landmark and withdrawal of landmark designation should be better defined and expanded. Although only a recommending body to the Village Council, the role of the CPC could include:
 - (i) a procedure for third party initiation of the designation of a specific building with the consent of the owner;
 - (ii) public notification of a nominee for landmark designation;

- (iii) making recommendations regarding economic hardship, penalties and severability; and
- (iv) making recommendations regarding the establishment of Conservation/Historic Districts or listings on the National Register of Historic Places.

5) Residential Demolitions and Redevelopment

a) The Community Preservation Ordinance should provide for a new multistep process for the review of applications for demolition permits. The steps in the process should be as follows:

(i) Step 1: Notice of Intent to Demolish

1. A Notice of Intent to Demolish would be required to be filed with the Village no less than 180 days and no more than 730 days prior to submittal of a Demolition Permit Application and Building Permit Application together with required fees;
2. notices would be sent to neighbors within a 250 foot radius of the subject property, and to the WHS and CPC;
3. notice of the proposed demolition would be published in a newspaper of general circulation once a week; and
4. signage advising of the demolition would be erected on the subject property.

(ii) Step 2: Initial Screening

An Initial Screening of the Demolition Permit Application would be held with Department of Community Development staff and 3 members of the CPC (CPC members would rotate in these capacities in 3 month shifts) within 30 days after the Notice of Intent to Demolish is filed to determine which of the following preservation categories describe the building for which demolition is sought:

1. the building would be a Preservation Priority if:
 - a. the architectural inventory score for it is indicative of architectural significance;

- b. it is a contributing building located in a Conservation/Historic District;
 - c. it is a designated landmark;
 - d. it is historically significant as determined by the WHS; or
 - e. there is reasonable evidence of the possibility of architectural or historical significance, or negative impact on the neighborhood or Village as a whole would result from the demolition.
2. the building would be a Non-Preservation Priority if it is clear it is not a Preservation Priority;
 3. the building would be an Undetermined Preservation Priority if it is neither a Preservation Priority nor Non-Preservation Priority.
- (iii) Step 3: For Non-Preservation Priorities
1. a Demolition Permit Application and Building Permit Application may be submitted immediately and would be given priority plan review status; and
 2. publication may stop and signage may be removed.
- (iv) Step 4: For Preservation Priorities
1. submission of a Demolition Permit Application and Building Permit Application would be delayed 730 days;
 2. 365 days of the delay period may be waived if the applicant agrees to submit to binding design review;
 3. the applicant may appeal the Initial Screening determination to the full CPC, for which submission of a Historical and Architectural Impact Study (HAIS) would be voluntary;
 4. absent submission to binding design review or the full CPC overturning the Initial Screening determination through appeal, a demolition permit would be issued automatically upon submission of the Demolition Permit Application and Building Permit Application no earlier than 730 days after filing of the Notice of Intent to Demolish;
- (v) Step 5: For Undetermined Preservation Priorities:

1. submission of a Demolition Permit Application and Building Permit Application would be delayed 60 days and would be given a review by the full CPC within 30 days of submission;
 2. the applicant would have the option to pursue expedited determination of status by the CPC through submission of a HAIS;
 3. an HAIS may be required by the CPC after full review;
 4. at any point the applicant could opt out of the process and wait the balance of the 730 day period to submit the Demolition Permit Application and Building Permit Application, or 365 days if the applicant submits to binding design review;
 5. if the CPC found the building to be a Preservation Priority all delays and procedures for a Preservation Priority would apply; and
 6. if the CPC found the building to be a Non-Preservation Priority, all procedures for a Non-Preservation Priority would apply.
- (vi) the earliest full CPC review of a HAIS would be within 60 days of the filing of the Notice of Intent to Demolish; and
- (vii) all publication for Preservation and Non-Preservation Priorities would end with a final CPC hearing on the building and all signage could be removed upon issuance of a demolition permit.
- b) Incentives for renovation and restoration which should be considered for inclusion in the CPO should include:
- (i) additional GFA and RLC bonus being made available;
 - (ii) possible recommendations by the CPC to the Zoning Board of Appeals for zoning relief;
 - (iii) tax abatements;
 - (iv) reduction of permit fees and priority plan review status;
 - (v) increase of demolition and permit fees for certain new construction;
 - (vi) decrease of permitted GFA for certain new construction; and
 - (vii) imposition of a Preservation Impact Fee on certain new construction.

c) The Community Preservation Ordinance should address other construction related issues such as the following:

- (i) consideration should be given to limiting the number of demolition permits issued each year;
- (ii) multiple demolitions in a particular neighborhood should possibly be limited; and
- (iii) a one year moratorium on subsequent demolitions within a 250 foot radius of a new construction site or on the same block should be considered (with the only exception being if the applicant obtains consent from 80% of the property owners within a 250 foot radius of the proposed demolition);
- (iv) expanded parking restrictions for new construction sites should be considered;
- (v) the allocation for additional resources for code enforcement to assist with respect to noise and construction related nuisances and permit the same to be more robust, including the creation of a paraprofessional position for such purpose within the Winnetka Police Department (the cost of which could be funded by the Preservation Impact Fee and increased fine collections), should be considered;
- (vi) temporary property tax relief for neighbors of a new construction site through application of Preservation Impact Fees should be considered; and
- (vii) administrative delays by the Community Development Director should be amended to allow a delay of up to 120 days if there is another building permit for new construction on the block face or shared alley.

6) Public Information and Input

- a) The CPC should develop tools for soliciting public input in the form of questionnaires to owners who have rehabilitated, renovated and/or expanded their buildings rather than construct new buildings and vice versa.
- b) An interactive website where owners can list their properties for sale when they do not want the buildings to be torn down should be created as a part of the Village website.

