

From: Richard Mitchell [<mailto:RMitchell@mitchellandmouat.com>]
Sent: Sunday, April 03, 2011 11:20 PM
To: Planning; Thacher, Jill
Cc: Tamara Burns; William Kinley; kirk@westphalassociates.com; ntyler@emich.edu; Higgins, Marcia
Subject: Design Guidelines

Dear Planning Commissioners,

I am sorry I can not attend the CPC meeting on April 5 as I will be out of town that evening. I would like to take this opportunity, though, to offer my thoughts about the proposed amendment to Chapter 8 regarding the proposed Design Review Board.

As a preliminary disclaimer, you should know I support the implementation of the guideline and I have been a member of the latest committee to work on them. I am also one of three members from that committee who are proposed to be members of the initial Design Review Board.

I want to offer a perspective from a designer's point of view.

Many architects and planners in Ann Arbor have experienced awkward moments in the approval process during public hearings with CPC, HDC and City Council. I refer to those occasions when we see from our perspective at the speaker's podium your plaintiff expressions that seem to be asking "Why don't they get it?"

At times (certainly not always) a major reason for this seeming disconnect is timing. By the time we get to your podium, months have been spent in the data gathering, assessment and design process. We are quite a ways down the road in the documentation process in order to satisfy the site plan requirements of our ordinance. That translates into significant dollars.

As an example, a project with a construction budget of \$5M might have a design fee budget shared by all of the architects, mechanical/electrical/plumbing engineers, civil engineers, structural engineers, landscape architects, etc. in the range of \$350,000 - 400,000. Of that amount, based upon the requirements of our ordinances, \$90,000 - 110,000 might have been spent before we get to the CPC public hearing, not counting HDC's process, if required.

Having that amount of money at stake sometimes gives rise to tense exchanges during and after your meetings. Maybe the designers didn't listen to City staff. Maybe the project owners didn't listen to their designers. Maybe some on the City side did not do their homework. The point is - here we are at this advanced stage in the project and at least two parties are not saying the same thing. What does a re-design do to the budget and the schedule? And, what does it say to those who support the project?

An earlier exchange of design ideas might help. That is why CPC is preceded by thorough City staff reviews and the Citizens Input Ordinance. However, staff is bound by their own interpretations of the ordinances, which may not always align with those of others including planning commissioners or city council members. And, citizen input can be emotionally heightened by perceived threats of what may happen next door or down the street. Both processes are invaluable and should not be changed. But, it can be hard for staff in some situations or for some citizens to be objective. The process begins to unravel when people (designers, staff, citizens and owners all) are put at odds and dig in their heels.

That leads me to my support of the Design Review Board. The simple idea is to give designers and project owners (especially those who have not been through our process) a chance to discuss their design concepts with other local designers before many lines have been drawn. I believe that would

provide a more clear picture of a project's potential at the earliest stage, which is something any client I have worked with in Ann Arbor in the last 25 years would love to have.

I feel it is important that a public hearing is not part of that conversation. The public is welcomed to attend, of course, and will have an opportunity for exchange during the following Citizens Input Process.

It is also important to me that the review is mandatory and compliance is voluntary. The design review meeting is simply an opportunity for designers and their clients to hear from other designers and react accordingly. They may choose to implement the advice or, if they find the advice to be short-sighted or inconsistent with their own project goals, there is no obligation. The project owners may also be better able to evaluate if they should proceed at all.

As a last comment, we know the guidelines, as written, are not perfect. That is the main reason three of us who did the writing (Tamara Burns, Bill Kinley and I) all agreed to serve on the first Design Review Board. We intend to join forces with the other four members of the Design Review Board and improve the guidelines on an annual basis as they are tested and discussed.

Thank you for your attention to this and for volunteering to be a planning commissioner.

Sincerely,

Dick Mitchell, Architect

From the Desk of –
Richard Mitchell

Mitchell
and **Mouat**
architects
113 S. Fourth Ave.
Ann Arbor, Michigan 48104
(734) 662-6070 Fx (734) 662-3802