

Date: May 15, 2024

From: City of Ann Arbor Design Review Board

To: City of Ann Arbor City Council

Re: Proposed resolution to remove mandatory review by the Design Review Board

Members of the Design Review Board (DRB) learned during its May 15, 2024, meeting, that a resolution has been proposed by the Ann Arbor City Council to eliminate the requirement that proposed construction projects in Ann Arbor's downtown be submitted for review by the DRB as a first step in the review process.

As we understand it, the goal is to refine the review process into something that takes less time and is more predictable. Since most of us on the DRB have spent our professional careers sitting on the petitioner's side of the table, we understand that. The process is onerous from start to finish and if it could be streamlined by eliminating a step, such a change should be considered.

The questions become "what would we give up by doing that?" and "what would be gained?" First, a quick summary of how we got here:

In approximately 2010 the City of Ann Arbor zoning ordinance was revised to encourage downtown density with the intent of facilitating an increase in downtown housing. Anticipating a potential building boom, the question was considered by the City Council about how the city could promote good design. A group of local professionals were asked by the City Council to draft Design Guidelines for their consideration. Three members of the current DRB participated along with a City Council member, the City Administrator and a Planning staff member.

When the design guidelines were being written, four primary initial questions were posed:

**1. *In which areas of Ann Arbor will the design guidelines apply?***

Since the DDA boundaries already defined the regions where higher density was desired it made sense to designate those boundaries as the area where the guidelines would apply. Any historic districts within the DDA were exempt since the Historic District Commission already had standards and a process in place for each historic district. So, the jurisdiction of the DRB became all sites that were within the DDA boundaries except the Historic Districts.

**2. *How should we define aesthetics?***

Design aesthetic is subjective and difficult to universally define. Everyone has valid opinions about that. Out of respect for the petitioners to come, the guidelines were written more as "goals" rather than "rules." The thinking was this would encourage discussion about various design approaches.

This differs from the planning commission process that centers around more objective ordinance-driven requirements designed to be legally enforceable. That is in the interest of the city and any criteria that belongs in the ordinance should be there. In fact, several ordinances have been added since the guidelines were adopted that improve the design of buildings in our

downtown, such as requirements of the height of the first floor and the amount of window transparency.

**3. *How should the discussion of design be facilitated?***

The question was asked “could a rotating group of Ann Arbor based practicing design professionals be brought together to discuss design with petitioners?” This would give developers (most of whom, it has turned out are not from Michigan) an opportunity to hear from local designers who can shed light on site context, neighborhood circulation patterns, potential neighborhood concerns, climate considerations, etc.

**4. *How do we enforce good design?***

The DRB would come first in the review process in hopes that petitioners would bring design thoughts that were still in the early formative stage, before extensive architectural and engineering fees had been spent, since that tends to make petitioners dig in their heels.

Even though the meeting would be mandatory the enforcement of ideas exchanged would not be mandatory. The intent was to make the actual review a collegial experience.

So, what would we be giving up? This process is not perfect. The vision of a group of designers employed by the petitioner and a group of designers volunteering for the DRB rolling up their sleeves and discussing options has not always materialized.

Some petitioners have come to the DRB having spent a lot of time working out a design that meets their financial parameters. Major surgery, for these petitioners, is not readily volunteered.

However, other petitioners have embraced the process. They typically ask for a second visit to discuss their project more fully. With these petitioners, the DRB has had a significant impact on the quality of the design. A quick review of the “before” (what came before the DRB) and the “after” (what was presented to PC and eventually built) makes clear the value the DRB brings to the city. Good design cannot be mandated, but through the DRB process we have gotten BETTER buildings. This is what we would be giving up.

Examples of the impact of the DRB can be seen within the attached DRB’s self-evaluation undertaken several years ago. There two examples of note:

**The Varsity, NE corner of Huron and Fifth:**

Please refer to pages 45 and 46 of the attached to see the design as originally proposed and as revised after the first DRB review.

**Kerrytown Place, Fourth Avenue and Main Street:**

Please refer to pages 66-68 of the attached to compare the design as originally proposed and the design as built.

Other benefits are the public discussion of design that increases the demand for good design as the public becomes more aware of how it can be achieved. The planning staff also benefit from the discussion as they learn how a group of diverse professionals approach design and how it can be balanced with the feasibility of a project. This is what we would be giving up.

And what would be gained? As we understand it, it is only a few weeks that a small number of projects are currently required to include in the approval process. Is this worth what we would be giving up?

The resolution proposes the Design Guidelines be interpreted by City Planning staff members. The City of Ann Arbor is blessed with excellent planning staff. However, input from staff may lack the expertise of design professionals and the empathy of those who have been through the Ann Arbor review process as applicants.

We hope you reconsider this resolution and are willing to continue helping as we can in improving the quality of Ann Arbor's built environment.

Sincerely,

Geoff Perkins, Chair, President, Perkins Construction Co.

Lori Singleton, Vice Chair, Vice President/Design Director, Smith Group

Tamara Burns, Principal, Hopkins Burns Design Studio

Bill Kinley, President, Praxis Properties

John Kotarski, Ann Arbor Public Art Commission representative

Richard Mitchell, President Mitchell and Mouat Architects (retired)

Wendy Rampson, AICP, former Ann Arbor Planning Department Manager