

## **M E M O R A N D U M**

TO: Design Review Board

FROM: Alexis DiLeo, City Planner

SUBJECT: Second Meeting Requirement

DATE: February 3, 2017

The Design Review Board has expressed interest on several occasions to require two meetings for each proposed design plan. Chapter 57 (Subdivision and Land Use Control), Section 5:136 sets forth the intent, applicability, submittal requirements, required notice and meeting and reports of the Design Review Board review of certain downtown properties. Any change to the current process will require amending this section of City Code.

Important considerations that the Design Review Board must address before drafting potential code amendments include:

- Need for Change
  - Given the intent and responsibilities of the Board, to discuss projects and report back to Planning Commission and City Council, why is a second meeting required?
  - Why the Design Review Board requires a second meeting when other boards and commissions do not
- When to require a second review?
  - Always?
  - When a project does not meet the Guidelines?
  - Threshold (example, corner sites, in certain character districts, certain number of stories or square feet)?
  - As determined by the Board?
- Timing of the second meeting
  - Before a site plan may be submitted?
  - After the site plan is submitted but during the staff review phase?
  - Before the Planning Commission meeting?
- Scope of discussions
  - Focus on character district, context and site layout at first meeting, building massing and elements at second meeting

- Discuss complete design plan at both meetings

Attachments: Considerations to Amending Section 5:136  
Step-by-Step Guide to Developers

## Chapter 57 - SUBDIVISION AND LAND USE CONTROL

5:136. - Design Review Board review for certain downtown properties.

- (1) *Intent.* The intent of this section is to foster excellence in the design of Ann Arbor's built environment and apply the Downtown Design Guidelines, as approved by City Council, by requiring a mandatory review of certain projects in the downtown area by the Design Review Board. This section provides petitioners with the requirements of the Design Review Board's review process.
- (2) *Applicability.* Projects that meet all of the following criteria shall submit an application to the Design Review Board:
  - (a) The project is on a lot zoned D1 or D2; or is located within the Downtown Development Authority boundary on a lot currently zoned or proposed to be zoned PUD; and
  - (b) The project is on a lot that is not located within a historic district; and
  - (c) The project proposes an increase in usable floor area; and
  - (d) The project is a:
    - i. site plan for City Council approval; or
    - ii. a Planned Unit Development Site Plan; or
    - iii. a site plan for Planning Commission approval; or
    - iv. a planned project site plan; or
    - v. an administrative amendment to an approved site plan that significantly alters the appearance of the building from the public right-of-way, as determined by the Planning Manager.
- (3) *Design Review Board submittal requirements.* The following steps shall be undertaken by the petitioner as part of the design review process.
  - (a) *Optional pre-application meeting.* The petitioner may meet with Planning and Development Services staff prior to an application to the Design Review Board to review the Downtown Design Guidelines and design review requirements set forth in this section.
  - (b) *Application.* The petitioner shall submit to Planning and Development Services an application for Design Review Board review and pay the required fee. Preliminary project design plans shall be submitted with the application and shall include the following scaled drawings:
    - i. Site plan.
    - ii. Floor plan(s).
    - iii. Elevations.
    - iv. Sections.
  - (c) *Timing.* Submission of the Design Review Board application shall occur prior to the fulfillment of the project's citizen participation notice and, if applicable, meeting requirements per section 5:135 (Citizen participation for petitions that require public hearing).
  - (d) *Number of reviews.* One review by the Design Review Board is required for each site plan or planned unit development that meets the applicability criteria of section 5:136(2) above. Additional reviews for projects with design changes are optional and must follow the requirements of this section.
- (4) *Required notice.* A Design Review Board meeting notice shall be mailed by the city to all property owners, addresses, and neighborhood groups within the same radius required by section 5:135

**Commented [AD1]:** What is required for second review? This paragraph may have to be amended.

**Commented [AD2]:** When should a second meeting be held? This paragraph would have to be amended.

**Commented [AD3]:** When to require the second review – always, when project does not meet Guidelines, when meets some trigger or threshold (majority Boardmembers disapprove, any project over 4 stories, etc.)? This paragraph would have to be amended.

(Citizen participation for petitions that require public hearings) at least 10 business days prior to the date of the Design Review Board meeting.

- (5) *Design Review Board meeting and report.* The petitioner shall present the project to the Design Review Board. The Design Review Board and the petitioner shall have an opportunity to discuss the design of the project and its consistency with the Downtown Design Guidelines. Following the discussion, the Design Review Board shall make a report of its discussion. This report shall be distributed to the Planning Commission and City Council as part of the site plan review and approval process and posted on the city website.

(Ord. No. 11-07, § 2, 6-6-11)

**Commented [AD4]:** Should the two meetings focus on different aspects of a project (i.e. context and site layout at first meeting, massing and materials at second meeting), or should the entire design plan be discussed at each meeting? This paragraph may have be amended.

**Commented [AD5]:** Why is a second meeting required? If not always required, how to determine when required and when not? This paragraph may have to be amended.



# The Site Plan Review Process for Major Projects

## A Step-By-Step Guide for Developers

Preparation	<b>Introductory Meeting with Planning Staff</b> Meet with staff to introduce your project, learn about the review process requirements, and prepare for the upcoming Citizen Participation Meeting by requesting a mailing list		<b>Design Review Board</b> If the petition meets certain criteria <sup>1</sup> , present to the DRB to ensure the project meets Downtown Design Guidelines	
	<b>Citizen Notification</b> After running your notice by planning staff, notify all property owners within 1,000 feet of the petition site at least 10 business days before your citizen meeting date		<b>Citizen Meeting</b> Present your project to citizens, listen to their comments and concerns, and answer any questions	
10+ Days Prior			<b>Prepare Final Report</b> Document meeting findings including how citizen concerns will be addressed	
Application	<b>Pre-submission Meeting</b> Meet with staff to ensure your petition is ready for submission. Bring a hard copy of your site plans and a completed Petitioner Checklist.		<b>File Petition</b> All materials (application, plans, supporting documents, fees, citizen participation report) must be electronically filed through eTRAKiT* by the filing deadline, typically by noon on the last Monday of the month	
			<b>*eTRAKiT</b> Ann Arbor's online system for developers and the public to find and access up-to-date information about properties and project status.  Visit <a href="http://www.a2gov.org/permits">www.a2gov.org/permits</a>	
Week 1 - 2	<i>At this point, all petition materials are on eTRAKiT for public view</i>	<b>Preliminary Review</b> Staff will review the petition at the Development Review Committee meeting one day following the filing deadline	<b>Notification of Acceptance or Rejection</b> Petitions that include all required information will be accepted for review -- petitioners will be notified the day after DRC meeting by the planner assigned to coordinate the review.	<b>Staff Review</b> City-wide staff review the petition and provide written comments within two weeks of the filing deadline. Major petitions go before the Advisory Development Committee to review initial staff comments.
Week 3 - 4	<b>Plans Revised by Petitioner</b> Petitioners will have a week and a half following the issuance of comments to upload revised plans		<b>Staff Review</b> Staff determines if revised plans address all comments	<b>If YES...</b> Petition moves forward to public notice
				<b>If NO...</b> Plans return to petitioner for further revision
Week 4 - 7	<b>Public Notice</b> Staff provides public notice that a public hearing will be held at an upcoming City Planning Commission meeting		<b>Plans Finalized</b> Petitioner finalizes plans and development agreement (if req'd)	<b>Staff Report</b> Staff prepares report for CPC with recommendation for approval, approval with conditions, or denial. CPC packets made publicly available online the Friday before the meeting.
Week 8	<b>CPC Meeting</b> Staff presents the petition in a public hearing format. Both the petitioner and the public may make comments.		<b>Recommends Approval</b> For petitions that require City Council approval <sup>2</sup> , City Planning Commission will recommend approval, and the petition will move on to City Council.	<b>Petition Postponed</b> If tabled, the petition will return to staff review for further revisions.
Week 12 - 16	<b>City Council Review</b> City Council receives staff report and minutes in packet. Both the petitioner and the public may make comments.		<b>Petition Approved</b> If approved, the project may proceed to requesting building permits.	<b>Petition Postponed</b> Petitioner will need to make revisions and may seek approval at a later meeting.

<sup>1</sup>The DRB reviews development that is (1) in the D1 or D2 zoning districts, that is located within the DDA, or that is zoned or proposed to be zoned PUD, (2) is NOT in an historic district, (3) proposes an increase in floor area, and (4) is site planned.  
<sup>2</sup>Projects on sites without a valid site plan, or project additions that are larger than 10% of the existing floor area or 10,000ft, whichever is larger, require City Council approval.