
From: Kirk Westphal
Sent: Monday, August 31, 2009 4:17 PM
To: DiLeo, Alexis
Subject: Thanks!

Alexis,

I appreciate your clarifying the design guidelines process for me. I really hope staff formulates some kind of formal recommendation to Council regarding the guidelines. I think the paper that the advisory committee wrote (at the end of this document: http://www.a2gov.org/a2d2/Documents/2007-10-15_DesignRecommendations.pdf) is clear about petitioners needing to meet mandatory requirements. Please keep me/us in the loop about the discussion, and hopefully the committee members who worked on the guidelines will get a heads-up too if possible!

Regards,
Kirk

From: ajralph@comcast.net
Sent: Monday, August 31, 2009 5:50 PM
To: DiLeo, Alexis
Subject: Re: A2D2 Design Guidelines Updates

Alexis, thanks for sending out a reminder.
I looked at the "final draft" briefly. It's 60 pages. A lot for me to print at home, especially with the color images.
(The color is important. We need the brain stimulation and access to recognition.)
As a member of the former Design Guidelines Advisory Committee, I would like to have been more involved with the revisions. It's starting to seem like we (at least a few of us) might have worked hard only to see our work overridden.
I have a conflict, but will try to get to the presentation. And try to be informed by the time I get there.
Thanks again, and especially for assuming a project element at the tail end when it can only be difficult,
Alice Ralph 769-1766
But maybe this doesn't have to be the 'tail end'. We seem far away from the public mandate at this point.
Fewer ugly buildings, design in context, trees, walkability. And what about Design Review Process?

From: Peter Nagourney
Sent: Wednesday, September 02, 2009 10:09 PM
To: DiLeo, Alexis
Cc: Planning; Hieftje, John; Smith, Sandi; Briere, Sabra; Rapundalo, Stephen; Derezinski, Tony; Taylor, Christopher (Council); Greden, Leigh; Higgins, Marcia; Teall, Margie; Hohnke, Carsten; Anglin, Mike
Subject: A2D2 Planning Design Guidelines

Dear Alexis:

Thank you for organizing the Community Meeting at Kerrytown Concert House this evening to present the draft of the A2D2 Design Guidelines. It is clear that the current draft represents a great deal of work, and succeeds in one of its goals of making the guidelines much clearer and easier to read.

As you heard from the audience's questions and feedback, there are some specifics that seem to be missing, such as addressing the preservation of existing buildings, and a great deal of concern about the proposed schedule of a September 14 study session with City Council, Planning Commission and DDA; September 23 final Draft Design Guidelines; October 5 Public Hearing by City Council; and October adoption of the Design Guidelines. The proposed schedule allows insufficient time for the community to read, digest, and comment on this complex document; in addition, there is no provision for public hearing in the schedule.

However, and all this notwithstanding, the major concern for me and many others present was the "voluntary" nature of these carefully and expensively designed guidelines. Because a developer has no obligation to follow any of these guidelines, asking for community input and feedback is an insult, much like asking the passengers on the Titanic what tunes they would like the orchestra to play as the iceberg looms into view. Saying, as your consultant did, that you first have to try the guidelines out to see how they work means there will be one or two or more years when buildings that violate all the Design Guidelines can be built, thereby determining the real design of downtown Ann Arbor for decades to come.

At the end of the evening you said there were now some elements of zoning that incorporated some discretion, and I am wondering why the most important elements of the Design Guidelines cannot be similarly incorporated into zoning, defined within specific but somewhat flexible parameters, to be interpreted by the city's planning staff based on their expertise. If developers have a more clear statement of what the city expects they can submit initial proposals that satisfy zoning and these incorporated Design Guidelines, saving them time and money, doing the same for the city, and allowing citizens to believe that the city's approval process has sufficient enforcement so that it can be trusted.

The second alternative mentioned, of advisory panels, cannot be much of an improvement if, again, there are no conditions for compliance.

I hope that the many concerns raised tonight will be given fair hearing during an extended review period, and that Ann Arbor will end up doing more than publishing another pretty document proclaiming its best intentions. If you mean these guidelines to be realistic, make them enforceable: I trust Planning can come up with the best way to do this, and it is always the hope that City Council members, unfortunately absent from tonight's Community Meeting, will support such good guidelines for the sake of the city and the citizens they represent.

Sincerely,

Peter Nagourney

From: Donald Salberg
Sent: Thursday, September 03, 2009 9:29 AM
To: DiLeo, Alexis
Subject: A2D2 downtown design guidelines

Deaer Alexx DiLeo,

I read with interest your column, entitled "A2D2 downtown design guidelines: Should they be mandatory?" which appears in today's annarbor.com. As far as I know tax dollars paid for the A2D2 development guidelines. Therefore, the plan should be freely available for examination by all Ann Arbor citizens. The easiest access would be through posting the guidelines on-line, possibly using the city's website. By the way, do you know how much the plan cost to develop, and how the plan's creators were selected?

Respectfully,

Donald Salberg
Ann Arbor, Michigan

From: Raymond Detter
Sent: Monday, September 07, 2009 4:51 PM
To: DiLeo, Alexis; Rampson, Wendy; Miller, Jayne; Higgins, Marcia
Cc: Raymond A. Detter
Subject: Downtown Design Guidelines

To all:

As a representative of the Downtown Area Citizens Advisory Council, I attended last Wednesday's Open House presentation of the Revised A2D2 Downtown Ann Arbor Design Guidelines. I noted that there were representatives of all the eight residential neighborhood associations that are in or near the downtown. We were told to send in our comments on the Guidelines and the meeting to those who are handling this part of the A2D2 process. I have several general comments and a number of specific recommendations for changes in the document.

THE GENERAL COMMENTS FIRST:

1. This draft is a much improved document that more succinctly and clearly gets at what we are trying to do with the design guidelines-- produce high quality buildings that are better designed, more sustainable, have the least possible negative impact upon their neighbors, and enhance the pedestrian experience in downtown Ann

Arbor. We are also all looking forward to a process that provides a consistency that has too often been lacking in the past.

2. It has always been my expectation that the Design Guidelines would be enforced with a mandatory Design Review Process that included some form of peer group or Planning Staff Review Board. Compliance with the standards could be voluntary but, obviously, expected by the community and the Planning Commission. I believe those who attended the Open House last Wednesday demonstrated their unanimous opposition to a system in which developers would not be required to deal with a Review Board that would be consistent in specifically defining the meaning of the guidelines. Those of us who were present at the Open House were offended by the reference to unidentified opposition to this concept that seems to be listened to more than those who are a part of the public process. It is not enough to say "We hear you." if the voices and opinions of those we don't hear will eventually decide the issue. Let's take the example of an existing mandatory review process that works somewhere in the U.S. and try to follow it. Let's not take a voluntary review process that is doomed to fail and is opposed by those who have participated in the public process.

3. I think we are all pleased that the A2D2 Revised Zoning will be approved on the same date as the Design Guidelines and Process. That recognizes the very important complementary connection between the two. The currently proposed A2D2 Zoning Revisions, as well as the Design Guidelines are based upon years of committee work, public meetings, public participation, and consultant input. We recognize, however, that zoning will and should trump the guidelines. "Where any conflict may exist between zoning requirements and the design guidelines, the zoning requirements will prevail." (Intro-4) We also know the guidelines are specifically committed to "break down the mass and scale of a building." (p. 1-3) We also know, however, that City Council at this moment is being asked by the DDA to raise the FAR in D1 to 500 instead of 400 along with some other proposals that will increase the density and the mass of downtown buildings. That DDA recommendation, not arrived at through a process that involved public discussion has been rejected numerous times in the public process that led to where we are today. It should be rejected again. At this late date, let's not change our zoning to add density to buildings where developers may use greater FAR not to go higher, but to create ugly, squat buildings that our new design guidelines are committed to oppose.

4. The Downtown Area Citizens Advisory Council has always insisted that more illustrations and examples would be desirable in our Amended Downtown Plan, our revised Downtown Zoning, and our Design Guidelines. To whatever degree possible, we would also like them to be cross referenced so we do not end up with contradictory policies, standards, and commitments. We still think this goal should be more fully explored. Let's take our time. It's a lot better than it was. It can be even better. A few site specific examples might be

provided in the Appendix of the Design Guidelines to provide greater clarity and direction. Let's select four controversial locations and show what the Downtown Plan and the Zoning call for and how the Design Guidelines might improve the design, enhance the pedestrian experience, and protect the nearby context. Tough, but not impossible! I would suggest the following examples: 202 South Division; properties east and west of Sloan Plaze; the Fifth Avenue underground parking site; 601 Forest. I would like to see a community workshop as a part of the process. There is no reason to take action in October if the product will be better in November.

SPECIFIC COMMENTS AND SUGGESTED CORRECTIONS:

Intro-4 The illustrative image for "Historic District Design Guidelines" seems to have no clear relation to the stated adjoining "Downtown Design Tools".

Intro-5 Line 5 in paragraph one: "that exist", not "existing".

Third paragraph: Change to read: "Chapter 2: General Design Guidelines, and the design guidelines in the section corresponding to the applicable character districts within Chapter 3: Design Guidelines for Character Districts, should be reviewed."

Intro-6 The map shows the Ecology Center building at 117 N. Division (zoned office) and the residential house at 114 N. Division (zoned R4C) as in the DDA and D1 are incorrect. They are outside the DDA and keeping their current zoning. This mistake is due to the fact that the maps used for the Downtown Plan and the Zoning Revisions were also incorrect. See Wendy on this.

Page 1-7 A photo showing "Connectivity" would be helpful--perhaps the alley to the west of Talley Hall (Liberty Square).

Page 1-8 A photo illustrating "Landmark Buildings" would be helpful.

Page 2-1 The photo used shows a single story building right in the middle of the streetscape. It seems to contradict the caption. I believe all those buildings, except the one story, are in the historic district. Some explanation is needed since we are presenting "General Design Guidelines".

Page 2-2 Again, is the pedestrian connection clear? A photo of the alley west of Liberty Square would help.

Page 2-6 Line 3 should read "and the University of Michigan."

It is important to make a statement that discourages entirely surface parking lots that can be seen from the street or sidewalk.

Page 2-7 The suggestiion that surface parking areas can be appropriately placed "To the side of the building" is rejected in new buildings by our revised zoning.

Page 2-8 You have two captions that are exactly the same. At least change them to say on the drawing: "Deciduous landscaping provides summer shading." On the photo, say: "Deciduous landscaping allows for solar access in the winter."

Page 2-9 How can we more clearly say "Maximum Building Module Length"?

Page 2-11 I don't understand why the drawing shows all buildings that are two and three stories. New buildings in D1 areas that are not historic will probably be taller than that. Is this in conflict with the zoning?

Page 2-12 "Building module lengths" again. Can it be stated more clearly?

Page 2-13 Is the photo in Ann Arbor?

Page 2-15 Could awnings be added somewhere on this page?

Page 3-1 On the map, once again, don't include 117 and 114 N. Division in the DDA map area. They are not in D1. Also, do not include the yellow house on Ann Street just to the east of what was the Ann Arbor News lot. That too, is not in the DDA area. A conflict problem exists with the designation of D1 zoning for the former Ann Arbor News parking lot on East Ann. It is zoned D1 when it is located between the six story City Hall building to the west and a two story historic house to the east that is not in the DDA area. It is also directly across the street from a residential historic Old Fourth Ward neighborhood that Zoning and Design Review standards are committed to protect. This inconsistency should be somehow gotten out of our A2D2 plan. It makes it very questionable.

Page 3-3 Where in Ann Arbor is the top photo? I just can't place it in the S. U. area.

Page 3-5 Add the alley west of the Liberty Square parking structure between Liberty and Washington.

Page 3-6 It would be consistent to see the historic houses on the south of East Washington between S. Division and S. Fifth included in the Liberty/Division Character District. Several of the buildings are recognized by the Department of Interior.

Page 3-8 Last sentence in the second paragraph should read: "The zoning for this section allows for taller streetwall and overall building heights but requires a front setback on Huron. First sentence in next paragraph should read "front entrance facing the street."

Page 3-9 Change D.2 to "context on East Huron". Have it read "adjacent to residential areas". Also have caption to the drawing

read "residential areas". They are not single family.

Page 3-10 The bottom photo is not in Ann Arbor is it?

Page 3-14 Somewhere, mention the brick streets.

Appendix The diagram to the right of the FAR of 2.0 should also have a caption that reads "FAR of 2.0", not a FAR of 1.0.

I appreciate your consideration.

Ray Detter, Chair
Downtown Area Citizens Advisory Council

From: William Milliken
Sent: Wednesday, September 09, 2009 4:13 PM
To: Kahan, Jeffrey
Subject: A2D2 for Gulvezan Land NE Corner Huron & First Ave.

Jeff: I should probably know this as a task force member. But how will A2D2 affect Andy Gulvezan's land next to Ashley Terrace -- on the northeast corner of Huron and First Ave.? Is it still 300% FAR? Or will it potentially increase under the new zoning?

Thanks.

Bill

-- -- --

Bill Milliken, CIPS, CCIM
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From: Ilene R. Tyler
Sent: Friday, September 11, 2009 11:28 AM
To: DiLeo, Alexis; Rampson, Wendy; Miller, Jayne; Higgins, Marcia
Cc: rdetter@umich.edu
Subject: A2D2

While I have not yet had time to scope the design guidelines in detail, one thing popped out to me as useful for additional guidance is the following on Page 2-19:

12.0 Sustainability in Building Elements

Etc.

12.3 Incorporate glazing treatments that allow for natural daylighting of the building interior. Include one or more of the following:

- Clear glass that maximizes light transmission.
- Clerestory features that reflect daylight deep into the building.
- Skylights that bring light into the center of the building.

Confirm this with the consultants, but this is consistent with LEED guidelines. Diagrams and photos may be needed to illustrate the concepts. This encourages compliance with two of the Environmental Quality LEED points.

QUINN EVANS | ARCHITECTS

Ilene R. Tyler, FAIA, FAPT, LEED AP

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From: ajralph@comcast.net

Sent: Friday, September 11, 2009 12:09 PM

To: DiLeo, Alexis

Subject: council a2d2 design wk session-incl comments

Alexis, please forward the attached comments to Abe Barge.

Also include with Council work session packet.

The time has been so tight. Not to mention the impact of everyone's Labor Day weekend activities and start of schools.

Let me know how comments are actually being handled. (I had to search for your email since no email address was on the Open House Comment Form.)

I hope I've made it under this wire.

Alice Ralph

These comments are necessarily of less depth than desired due to official time constraints. Of greatest importance is promoting the natural and designed beauty of Ann Arbor to provide a high quality of life for visitors and residents.

(1) Introduction and Urban Design Principles

The introduction to the draft document provides a vision and general objectives for downtown design guidelines. Chapter 1 presents broad design principles. Please comment on the vision, general objectives and design principles.

1.1 Do you feel that design guidelines are important to help realize the community's vision for downtown?

Yes, design guidelines are important and essential to an integrated approach that realizes a community vision for downtown. A community-based Plan points in the right direction. Zoning sets minimums and limits. Design standards and guidelines illuminate the framework that supports creative design in context.

We have needed design guidelines for more than 30 years. As an expression of our community vision, design standards and guidelines help smooth the way for development that is both sensitive to context, attractive and innovative in response to community needs. Designers want this kind of input and rise to meet high public expectations. A key word is “community” in reference to current and future residents, the enduring stakeholders.

What has been changed from the earlier version of the Design Guidelines? What is addressed in Zoning and where? How are these documents linked and how strongly? Which principle linked to which zoning provisions? This is done for other legislation by reference. We need the linkages to Zoning and Zoning to Plan (the expressive foundation).

1.2 Does Chapter 1 address the most important design principles for downtown? Are there topics you would add or delete?

In general, there is not much to dispute in a “first-level” summary like this. The concepts of the Intro and Chapter 1 could include more specific Ann Arbor references.

Central Campus is, however, woefully misrepresented in the Character Districts map. The Diag is not the Central Campus, just as the South U. District is not really representative of a Downtown area. Further, the actual boundaries of “Downtown” are inconsistently referenced with the DDA district, the zoning district limits, character district definitions, and popular understanding.

The concept of Civic Corridors appears to be a recently added concept, but well worth consideration. The relationship of Civic Corridors to the Character Districts should be clarified to strengthen the desired aspects of both. Connections deserve a higher priority with emphasis on sensitive transitions between different Character Districts and between different zoning districts.

Street frontages need to strengthen historical patterns with sensitivity to identity and transitions. Buildings should respect not only historical lot sizes, but also street width and desirable sidewalk depths in proportion to height. The goals for frontages should include response to context (e.g. 1000 feet), pedestrian activity, solar access, natural elements, motorized and non-motorized transportation safety, secure respite and congregation.

(2) The General Design Guidelines

Chapter 2 presents the core guidelines which would apply throughout downtown.

Please comment on the scope of topics covered, and the clarity of the material:

2.1 Is the range of topics addressed appropriate? Are there topics you would add or delete?

The reference to zoning in the Site Planning section is weak and contradictory. The fact is that Zoning requires building to the front lot line. The zero lot line requirement does not permit without variance, for example, the expansion of the perceived sidewalk depth. There are many pedestrian environments where this would be a desirable element, not to mention the draft design guideline for connection to such entrance courtyards or terraces. Desirable "streetwall" continuity is easily provided by other integral elements which serve not only to define, but also to invite. A variety of human-scaled public spaces accommodates the various recommended pedestrian amenities.

Surface parking is only an inferior temporary/exceptional use of a vacant site with street frontage. This should be made clear and not validated by an illustration that infers appropriateness.

Providing public open space interior to a site increases the effective street frontage available for adjacent active uses and should be more strongly recommended and supported by zoning requirements.

Design Guidelines could go farther to balance goals such as 'environmental sustainability' and 'sustained high quality of life'. A technically energy efficient building is not as sustainable as one which achieves overall low carbon output

by providing for occupant and visitor access to human needs and activities. A large building must balance the integrity of a properly scaled streetwall against design monotony.

Height limits are probably not as effective in achieving balanced design goals as the "maximum diagonal" concept which has been eliminated from earlier guidelines.

2.2 Is the material conveyed clearly? If not, what improvements would you make?

In general the material is clearly conveyed. This format and timeframe make the recommendation of editorial improvements unrealistic.

Primarily, the Plan, Zoning Ordinance and Design Guidelines (or Standards) need intensive cross-refencing to make a usable integrated and enforceable development management system.

2.3 Do you agree that the guidelines marked by the star symbol are the highest priority? If not, what changes would you make?

This is too fine a grain to address in this timeframe. The public has provided a wealth of input over the last four years. The former Design Guidelines Advisory Committee and our consultants gathered and evaluated further public contributions. Changes might be desirable, but it depends on who is making those changes, how much public support there is for them and to what desired effect? Last minute or arbitrary changes may lead to unintended or unacceptable consequences.

(3) Design Guidelines for Character Districts

Chapter 3 presents supplementary guidelines for individual Character Districts. Please comment on the scope of topics covered, and the clarity of the material:

3.1 Is the range of topics addressed appropriate? Are there topics you would add or delete?

3.2 Is the material conveyed clearly? If not, how would you improve it?

3.3 Do you agree that the guidelines marked by the star symbol are the highest priority? If not, what changes would you make?

This is where we live, our public living room, the heart of our urban identity, a neighborhood of neighborhoods. This

section deserves very careful review. This is where public expectations are highest. This is where a community-based vision becomes real. And this is where not enough time has been allowed for thoughtful refinement.

General Comments

Please use the space below to provide general comments and feedback on the draft design guidelines.

There is not enough time to adequately respond to this draft of the Design Guidelines. The lengthy hiatus and compressed 'tiebreak' have been great disadvantage not only to this element, but also to the frayed Zoning amendment process and the integrity of the Downtown Plan. The division of elements has created such disparity of provisions that it is difficult to imagine effective implementation.

We are now so far from original goals and effective results that the hours, months and years devoted by the staff, consultants and the public seem in jeopardy of reversal. For example, does this draft of Design Guidelines thoroughly address the five purposes stated on the City webpage?

- Encourage high quality building design
- Prioritize the pedestrian experience
- Complement the recommended overlay zones
- Clearly illustrate the goals and standards for each requirement while being as objective as possible
- Promote green building technologies

I do not think so. And I believe other laudable goals have been discarded or missed such as, rehabilitation of existing structures, natural infrastructure, secondary addresses, density management, public art, sidewalk enhancement, etc. We have been meager where we could be magnificent.

Design Guidelines should open the way to realizing a Downtown envisioned by a community-based Plan that shapes Zoning (if we must have traditional use-based zoning). Please do not codify destruction of our assets, but rather ordain a higher public expectation. Integrate what has been

wrought and provide for robust implementation and enforcement that the public can support. Recognize the years of progress and participation of staff, consultants and the public. Take enough time to give a creative system a good start and a good chance for great effect.

Alice J. Ralph
Architect and Urban Designer
Appointed member of the former Design Guidelines Advisory Committee for the Ann Arbor Discovering Downtown Project

From: Vivienne Armentrout
Sent: Saturday, September 12, 2009 8:29 PM
To: Vivienne Armentrout
Cc: Rampson, Wendy; DiLeo, Alexis; Higgins, Marcia; Eppie Potts
Subject: Re: Ethel Potts' comments on design guidelines

Sorry! Here they are.

Vivienne Armentrout wrote:
> I've attached Ethel Potts' comments on the A2D2 design guidelines at
> her request.
>
> Vivienne Armentrout
>

From: Ethel Potts
Subject: Downtown Design Guidelines: Comments after the September 2 workshop
Date: September 12, 2009

Proposed Actions

- I assume there will be public hearings on the Design Guidelines before Planning Commission or Council action.
- The process for Design Review is missing from the Guidelines, perhaps awaiting public comment. Most effective as a review process would be a mandatory review of development proposals by a peer group. Architects and other professionals have said they are willing to volunteer. Design review should take place before Planning Staff's report to Planning Commission. Design review should not be reduced in importance by making design just one more item the Staff analyzes for conformance.

Section 5:10.20 of the Downtown zoning ordinance provides that "*the Downtown Character Overlay zoning districts shall provide additional regulations to the D1 and D2 districts*".

Such additional regulations could bring the Character Overlay Districts and the Zoning into closer conformance with each other. Major design elements such as height and mass are now in the proposed zoning. Moving more design elements into zoning should be considered, before action on zoning.

- The starred priorities are well chosen and should be top priority in design review.

General Comments

The Downtown Design Guidelines, the Downtown Plan, and the A2D2 Zoning Ordinance are a closely linked system. Each does a different job and Downtown planning is incomplete without all of them. At public hearings, speakers repeatedly referred to the Design Guidelines in their comments on the Plan and the zoning provisions. I agree with the public that the Design Guidelines are the means to implement the Plan and the means to apply the zoning provisions and Character Area overlays to specific sites and development proposals. Zoning is broad and does not consider individual land parcels or their context.

The Guidelines were written to reflect the community vision and the Downtown Plan, using input from the many Plan and Design workshops. Zoning alone will give us quantity of development but not quality of life or of buildings. The public has been counting on Design review to reduce the controversies over development proposals.

Section (1): Introduction and Urban Design Principles

Good descriptions of a desirable Downtown. Though retail is highly desirable, its return to Downtown is not likely as long as we have malls and property owners who keep maximizing their rents.

Open space: The recommendations throughout the Guidelines for plazas, courtyards, pedestrian connections are important for Downtown livability, but will continue to be missing from new development as long as the zoning premiums encourage developers to maximize profitable floor area with a very generous housing premium.

Section (2): The General Design Guidelines

Clear and well written. Again, see my Chapter 1 comments on open space.

To implement the vision of livability, I propose an ordinance amendment:

When extra floor area is given for setbacks from lot lines, space used for driveways, parking, dumpsters, loading areas will not be credited.

Without such limitations, setback open space will continue to **not** be used as a green amenity, public or private. (See Ashley Terrace on Huron Street for an example.)

Almost all of the photo illustrations are of local buildings, as was requested. It is interesting that mostly they are 4 to 10 stories tall, typical of Ann Arbor. The A2D2 zoning would change that,

permitting 15 story buildings. I don't recall at any of the many workshops or public hearings a request from the public for greater height Downtown.

Section (3): Character Districts

On page 3-16, drawings of entries to building are all small. City buildings sometimes have a plaza at the entrance, open to the sky or overhung by higher floors. Such an amenity should be encouraged.

From: homeless.dave@gmail.com
On Behalf Of Dave Askins
Sent: Monday, September 14, 2009 3:12 PM
To: DiLeo, Alexis
Subject: FAR definition glitch

Alexis,

In the Design Guidelines document, on the first page of the Appendix, the diagrams illustrating the definition of Floor Area Ratio, have minor error, I think:

"A FAR of 1.0 could also be expressed by a 4-story building covering half its lot." In context, I think it's supposed to read "A FAR of 2.0 could also be expressed by a 4-story building covering half its lot."

Apologies, if this has already been noted.

Cheers,

Dave
--
Dave Askins
Editor, The Ann Arbor Chronicle
734.645.2633
www.annarborchronicle.com

From: homeless.dave@gmail.com
On Behalf Of Dave Askins
Sent: Tuesday, September 15, 2009 9:19 AM
To: DiLeo, Alexis
Subject: Re: FAR definition glitch

Alexis,

Last night at the joint-joint session, you ticked through the historical sequence of how the mandatory-process-but-voluntary-compliance approach evolved, which

concluded basically with words to the effect that the city council accepted the oversight committee's report.

Could you give me a call sometime today, whenever is convenient for you, to walk me more slowly through how that unfolded? Also I'm trying to figure out where these guidelines -- on any scenario -- will fit into the city's set of governing documents. For example, 100% guaranteed, the design guidelines will not be a part of the city charter. Okay, but will they be a part of the city code? Or will they be more like the various master planning documents (Central Area Plan, Downtown Plan, Northeast Area Plan, etc.)?

Thanks,

Dave

From: Pollack, Peter (PMAC)
Sent: Wednesday, September 16, 2009 9:39 AM
To: Higgins, Marcia
Subject: Design guidelines review

Hi Marcia,

My apology for missing Monday's 'due date'. I did watch the joint session on CTN and, although I still have more reading to do, here are a few initial observations.

Mandatory vs voluntary: the latter would seem a reasonable way to begin as long as the review process and its products are accurately defined, and expectations understood (tall order).

Staff vs a volunteer board: staff's role in site plan review has traditionally been interpretation of quite specific ordinances, i.e., evaluation based on objective requirements. Interpretations required by voluntary guidelines use a more subjective analysis and might put staff into a difficult 'position' w/ the public. Staff could become the target for accusations of favoring development (sound familiar?), unpopular decisions about a project, etc. A volunteer review panel, while a difficult role, might be an effective intermediary between the public at large, a development team and staff.

Process: coordination of a design review process w/ the newly required public participation process is a must....

Lastly, for now, use of the word 'encouraged': its use is typically connected to asking a developer to consider the guidelines. It's a weaker word than 'requested', i.e., "...development is requested (vs encouraged) to comply w/ the suggestions- or recommendations – (vs intent) of the Downtown Ann Arbor Design Guidelines."

I'm leaving town this morning for the rest of the week (Shaw Festival is calling...), and will try to complete my review by mid-week next week. Hopefully that will still be timely for you.

Again, sorry for the delay,
Peter

From: C. Robert Snyder
Sent: Thursday, September 17, 2009 11:29 AM
To: DiLeo, Alexis
Cc: Hieftje, John; Sabra Briere; Smith, Sandi; Greden, Leigh; Taylor, Christopher (Council); Derezinski, Tony; Rapundalo, Stephen; Anglin, Mike; Teall, Margie; Higgins, Marcia; Hohnke, Carsten; Stephen Kunselman; Ray Detter; Chris Crockett; Alice Ralph; Peter Nagourney; Tom Whitaker; Paul Morel; Christine Brummer; Ann Shriber
Subject: A2D2 Design Guidelines

Alexis--

I attended the presentation September 2 at the Kerrytown Concert House and was impressed with the consultant's distillation of a previously lengthy earlier version into a much more readable and compact version. I also watched on Community TV this past Monday as the same presentation was given to City Council, DDA, and CPC--again, excellent work as well as a very thoughtful Q&A by the "presentees."

I came away from both of these presentations and Q&As firmly convinced that the proposed design guidelines must be mandatory, much like the existing and proposed zoning ordinances. To be only "advisory" or "voluntary" renders them--and all the hard work of staff and citizens--virtually useless in helping to assure the quality of development which Ann Arbor deserves.

I appreciate all the hard work that you and the rest of the city planning staff have put into this over the past innumerable years and urge you to urge Council, and anyone else in the decision-making loop, to

- 1) allow a bit more time, say one or two (maximum) months for the public to review and provide feedback, and
- 2) make them mandatory!

Best regards,
C. Robert Snyder
President, South University Neighborhood Association

From: Raymond Detter
Sent: Monday, September 21, 2009 2:17 PM
To: Raymond A. Detter; Bonnie Bona; Derezinski, Tony; ericmahler@hotmail.com; Eppie Potts; Kirk Westphal; Higgins, Marcia
Cc: Miller, Jayne; Rampson, Wendy; Pulcifer, Connie; DiLeo, Alexis
Subject: Design Guidelines

To All:

Representatives of the Sloan Plaza Condominium Association, the Old Fourth Ward Association and the Downtown Area Citizens Advisory Council met with First Ward City Council Representative Sabra Briere on September 17 to discuss the current status of the proposed A2D2 Zoning Amendments and the Design Review Standards. Both are now scheduled for a public hearing and approval on October 19. Our lengthy discussion concluded with the following recommendations:

Both the public presentation at the Kerrytown Concert House on September 2 and the recent joint meeting of City Council, Planning Commission, and Downtown Development Authority on September 14 indicate that there are far too many important changes needed in the Design Review Guidelines and the Review Process to rush this important product for approval on October

19. A date in November might be reasonable if we moved as quickly as possible to evaluate and deal with changes requested not only by us, but by other groups who are sincere in their desire to make this entire A2D2 process work properly.

Before A2D2 Zoning Revisions and Design Guidelines are approved, City Council must make a firm commitment to establishing a Design Review Board to evaluate all large development projects. Such developments should have mandatory review by the board. Compliance with the board's determination should be encouraged. Incentives such as premiums should be granted to developers only if their project complies with applicable guidelines. In some cases, yet to be defined, compliance may be mandatory. This is essential in character areas, on sites adjacent to historically designated buildings, and in situations where non-compliance would clearly have a negative impact upon existing residential neighborhoods and units.

The group gave careful consideration to the process by which a major project might move forward for approval. Developers should continue to meet with a member of the Planning Staff as a first step in the process of project review. A Preliminary Design meeting with the public that is already required of developers should be continued. Reports to the City Planning Department will continue to be required with all information made available to the public.

After these steps, the developer would be required to submit the project to a five member Design Review Board. The Board's review should include a check list of design guidelines pertinent to the project. That checklist would be made available to the public as well as everyone involved in this process. A member of the Planning Staff would act as the Board's advisor and Secretary and would be responsible for writing the final decision or recommendation of that body. Decisions would be available to the public so individuals could provide written and spoken comments during the course of public hearings at Planning Commission.

Members of the Review Board should be selected based on their expertise in design issues. Each should receive instruction when appointed on how to function as a member of the board. The Board should be made up of five individuals who represent the following: An informed member of the public at large, an architect, an urban planner, a historic preservationist, and a member of the real estate development community. Decisions of the Board would be by consensus rather than simple majority.

There are examples of well-functioning design review boards in other cities. Council should carefully examine existing models for best practices in the process of adopting our own. A re-examination of the new downtown zoning and design guidelines is appropriate after one year with revisions made as appropriate at that time.

To aid in developing this process, it is important that drawings be developed for a number of potentially controversial sites to illustrate what development could look like if the design guidelines were followed, as well as if they were ignored. Sites that might be used for this comparison include Metro 202, 601 Forest, 413 East Huron, the west and east sides of Sloan Plaza, the site of the Fifth Avenue parking structure and the Brown Block.

Council should take as much time as needed to achieve these goals. They should then approve the A2D2 design review plan in tandem with the revised zoning.

Sincerely,

Hugh Sonk, President, Sloan Plaza Condominium Association
Christine Crockett, President of the Old Fourth Ward Association
Ray Detter, Chair, Downtown Area Citizens Advisory Council

From: ajralph@comcast.net
Sent: Monday, September 21, 2009 4:21 PM
To: DiLeo, Alexis
Cc: Wondrash, Lisa
Subject: a2d2 DGs dates

Hi, Alexis.

I just looked on the A2D2 DG webpage and did not notice any dates set for A2D2 Steering Committee meetings. We know that the public is not permitted to participate, but we have usually listened and observed.

Further there is no indication of by what dates comments on the A2D2 Design Guidelines should be sent and to whom, A2D2 feedback or you, or Council or CPC (or, since the joint meeting, also to DDA??), etc.

Where is the notice of public hearing(s?) to be posted? And how soon before the date set?

A passive posting on the city website does not seem to be worth anything. I noticed today that regarding the Council agenda, we are to check back on the homepage "as link is updated periodically." What period?!

I appreciate that you have had to jump in at the latter part of this project, but I hope you can help the public get the best outcome from all our work together.

Thanks,
Alice Ralph
769-1766

From: David Esau
Sent: Thursday, September 24, 2009 5:37 PM
To: DiLeo, Alexis
Subject: Downtown Design Guidelines

Alexis, I finally got around to reading the latest draft. It's not clear if the intent is that compliance with these will be required (as suggested by Intro-1) or "encouraged" per Intro-4. I'm also trying to decide which I think would be better/less complicating for development, given that some in government will treat them as required whether they are or not, and that the latest versions are pretty vague.

On a more specific note, on page 3-10, you're illustrating the large buildings in the Midtown District with a building that the City has demolished.

Finally, on page 2-18, vinyl siding and EIFS are definitely durable in our climate, and EIFS panels can be broken up and colored to have a human scale, so that means they're fine, right?

David Esau, AIA, LEED AP
Cornerstone Design Inc
940 N. Main St.
Ann Arbor, MI 48104
734.663.7580; 734.663.1180 fax
desau@cdiarchitects.com

From: ajralph@comcast.net
Sent: Monday, September 28, 2009 11:04 AM
To: DiLeo, Alexis
Cc: Miller, Jayne; Rampson, Wendy; ctaylor@a2gov.org; Beaudry, Jacqueline
Subject: Re: a2d2 DGs dates

Thanks, Alexis, for your reply. With respect for your effort, please accept a few further comments and my inclusion of others in the address line.

A very important question: When is City Council scheduled to vote? (On October 5? Depending on what?)

Since there was a delay of several days before I received your reply, it took me the weekend to follow up.

First, it still isn't clear to whom the comments are most effectively addressed and on what date they are just too late to be in the collection. I am thinking a big list in the header is the only way to go. And that now we have about two days left.

Second, the Steering Committee may not be meeting, but their direction on possible further timepoints or extensions was expected, and is not clear, and not publicly known.

Third, the notice of public hearing will not be seen by very many Ann Arbor residents. I have tried to access the Washtenaw Legal News online, but access appears to be subscription only. Was it in the Thursday 23 edition to meet the 7-day minimum? I don't think very many Ann Arbor residents even know of WNL, nor that WNL is the instrument adopted by the City. (I found out by chance and vigilance.) Gov-delivery doesn't meet legal requirements either, although I did receive two of those emails on 24 September. Last, but not finally, the Clerk's answer about agenda changes may be factual, but the practice is an unrealistic burden on the public. (We are not schoolgirls pining for word from the homecoming king. I haven't even checked the City homepage yet this morning!) If we check on Friday for agenda amendments, how well can we inform ourselves on a developing issue for the following Monday? Will Council (or whoever) stop adding things at the last minute?

Some things I have found out:

60 pages from 95 pages (155 pages total, a lot for individuals to print or pay for, in color even more)--

Although the 60-page August 2009 draft of the Design Guidelines is at the Library, it does not contain marks that would indicate any new language that replaces or summarizes previous language.

On the City website, the 'marked up' 95-page January 2008 draft only shows major deletions (in red, if printing in color). The Library does not have a copy of this larger document. Most of the marked deletions are the very things that the public expects:

Public process and training

Required compliance

External review panel

Photographic examples

The remaining sound design principles are not much to argue until a project falsely claims to have followed them. We need a system of review that truly manages the development process to achieve better outcomes. We were aiming for fewer delays and better outcomes. Without enforceable coordination of a clear community-based visionary plan, sensitive zoning and usable design review, how are we going to get what we have been working on for so long? How will neighborhoods assert themselves? How will City Council come to justifiable and publicly accepted decisions? How will we get better outcomes?

Sincerely,

Alice

Alice J. Ralph

734-769-1766

From: ajralph@comcast.net
Sent: Tuesday, September 29, 2009 3:55 PM
To: DiLeo, Alexis
Cc: Miller, Jayne; Rampson, Wendy; Taylor, Christopher (Council)
Subject: Re: a2d2 DGs dates

Thanks, Alexis. These clarifications could be posted in a brief form and with calendar bullet points on the webpage. (If anyone looks, they'll be there. I often feel that just a few of us are reaching out with information, but self-starters have nowhere to look.) I do believe that Staff follow that which is established. Thank you. The problems with public notices are not going away soon. If public communications become a general City priority, there are some basic policy decisions that could improve effectiveness. Many improvements have been suggested by the public, and a few have been adopted. I believe that Staff, officials and the public could be better served with improvements in communications.

Thank you for your attention to these email communications.

Alice

And thank you for getting the long 2008 markup into the Library. That's one way to communicate.

I noticed that Pam Byrnes is getting her coffee hours posted on annarbor.com. If the City calendar were scoured of the knitting classes and scrabble games (sent to the Parks and Rec site) then maybe annarbor.com or annarborchronicle.com would allow a link.

Just two more suggestions.

From: Stephen Lange Ranzini
Sent: Wed 9/30/2009 8:25 PM
To: Kahan, Jeffrey
Cc: Hieftje, John; Briere, Sabra; Smith, Sandi; Rapundalo, Stephen; Derezinski, Tony; Greden, Leigh; Taylor, Christopher (Council); Higgins, Marcia; Teall, Margie; Anglin, Mike; Hohnke, Carsten
Subject: Feedback on A2D2

Dear Jeff:

I am very impressed with the revised document. It is materially better in many ways from the prior version including not just the content but the visual and graphic presentation. Kudos to whoever led the revision process!

I only have two comments on the 60 page document and note two typos...

The "View Corridors" discussion on Page 1-6 is big improvement from previous drafts however the following changes I believe are still necessary:

- Paragraph #1: The list of important Civic Anchors and Institutions to which visual corridors should be encouraged should also include "the University of Michigan Football Stadium" which is a major and valuable asset to any downtown condo or building floor that has a view of it.

- Paragraph #3: The last sentence should read (by adding a reference to natural features that is underlined):
“View corridors towards civic anchors and institutions as well as prominent natural features (such as the Huron River, Argo Pond or the rim of the valley in which Ann Arbor lies) should be promoted.” Again, because downtown residents have no backyard, a connection with nature that is visual helps humanize the living and working spaces and adds value to any downtown condo or building floor that has such views.

I also noted two typos:

There is a typo on pg. 48 paragraph three. That sentence is missing the word “is” in the phrase “clearly defined front entrance that is facing the street”.

There is a typo on pg. 59 in the fourth illustration of FAR (lower right hand corner illustration) where the FAR of 1.0 should be instead FAR of 2.0: “A FAR of 2.0 could also be expressed by a 4-story building covering half its lot.”

Best wishes,

Stephen Lange Ranzini, downtown resident (Ward 1)

President, University Bank* Ann Arbor, MI USA

President, Ann Arbor Economic Development Corporation

Vice-Chairman, Washtenaw County Economic Development Corporation

☎(+1)(734) 741-5858 xt 226 [desk]

☎(+1)(734) 741-5859 [fax]

✉ranzini@university-bank.com [email]

From: ajralph@comcast.net

Sent: Thursday, October 01, 2009 5:26 PM

To: DiLeo, Alexis; Taylor, Christopher (Council)

Subject: Fwd: Ann Arbor Discovering Downtown Planning Updates

I realize that this posting is the result of certain direction.

However, posting a new draft just 6 days before the Public Hearing that requires at least 7 days notice is *unacceptable*.

Is a printed copy available in the Public Library? (Is the marked up 2008 draft in the Library yet?)

The new 66-page draft still does not indicate what is new or changed, just as the August draft did not.

This is getting way off track from what the public expects from their last 2-4 years of input.

We deserve better. We deserve better outcomes than this rush will allow.

Alice J. Ralph

Third Ward

From: Wayne Say

Sent: Friday, October 02, 2009 1:14 PM

To: Cooper, Eli

Cc: wapjohn@grafaktri.com; blavery447@comcast.net; rcarlisle@cwaplan.com
Subject: Fwd: Ann Arbor Discovering Downtown Planning Updates

Hello, Eli, I serve as you know on the advisory committee for the transit plan revision, and I am wondering how the principles of that plan will be connected to and leverage benefits from the downtown design guidelines? One point of connection would be between non-motorized transit options and the 'face' of the structures through/past which a person an individual moves. Will it be enticing and draw the walker-cyclist onward and thus amplify the appeal of the downtown area? How the public spaces, especially at the small-scale, enable and encourage the walker-cyclist would be another dimension.

Thanks,
Wayne

From: REL
Sent: Friday, October 02, 2009 4:30 PM
To: DiLeo, Alexis
Cc: Postema, Stephen; Hugh Sonk; Maurice S. Binkow; Ray Detter; Briere, Sabra
Subject: Defective Notice for Punlic Hearing on Design Guidelines

Hi Alexis:

I am writing at the request of the Sloan Plaza Condominium Association concerning what appears to have been defective notice for the public hearing on proposed A2D2 design guidelines now set for 7:00 p.m. on Monday, October 5. In your e-mail response to Alice Ralph you stated in part that "Notice of public hearing will be posted as required 7 days prior to the public hearing in the Washtenaw Legal News *****".

As a subscriber to that publication, I found such a notice in the Thursday, October 1 issue, only 4 days prior to the scheduled hearing. I did not find such a notice in the issue of Thursday, September 24, which would have complied with the 7 day notice requirement.

It appears to me that such a defect in notice requires postponement of the public hearing. Of course, my client and many other groups you have heard from believe there are many other good reasons for such an adjournment. If you have any other explanation of how the notice requirement has been met, please enlighten me. Please also let me know if the public hearing will be postponed to allow for proper notice.

Thanks,
John L. Etter

From: REL
Sent: Tuesday, October 06, 2009 11:22 AM
To: DiLeo, Alexis
Subject: RE: Defective Notice for Punlic Hearing on Design Guidelines

Dear Ms. DiLeo:

Thank you for the information. I look forward to further communications.

Thanks,
John L. Etter

-----Original Message-----

From: DiLeo, Alexis [mailto:ADiLeo@a2gov.org]

Sent: Monday, October 05, 2009 4:27 PM

To: REL

Cc: Postema, Stephen; Hugh Sonk; Maurice S. Binkow; Ray Detter; Briere, Sabra; Miller, Jayne

Subject: RE: Defective Notice for Punlic Hearing on Design Guidelines

Dear Mr. Etter,

Please allow me to address some of your comments regarding the notice for the upcoming Downtown Design Guidelines public hearing. Ms. Ralph first inquired around September 21st where the public notice for the October 5 public hearing would be posted and when. I tried to assure Ms. Ralph in a reply email that she had not missed the posting and that it would be forthcoming, but in my haste to reply it appears I got two things wrong. First, out of habit, I treated the Downtown Design Guidelines public hearing like one for a proposed code amendment or ordinance but it is not. Second, I assumed the notification requirement for a code amendment public hearing was 7 days but didn't double check.

The Downtown Design Guidelines are not a proposed code amendment or ordinance. Council is set to adopt that document by resolution. There is no requirement that Council hold a public hearing for a proposed resolution, and there is no minimum notification requirement if they do hold a public hearing.

Since there is no minimum notification requirement, I do not believe that the October 1st notice that appeared in the Legal News was defective.

For my own clarification, I have asked the City Clerk what is the minimum public hearing notification (for proposed code amendments and ordinances) and I will share that information as soon as I get it.

Sincerely,

Alexis M. DiLeo, AICP

City Planner

Planning & Development Services Unit

Community Services Area, City of Ann Arbor

734.794.6000 ext. 42610

adileo@a2gov.org

From: Peter Pollack

Sent: Wednesday, October 07, 2009 5:54 PM

To: DiLeo, Alexis; Rampson, Wendy

Subject: RE: Design guidelines review

Hi Alexis, Wendy,

On to the next iteration...; hope you're both holding up under the intensity of this effort. One thing for sure: the quality and character of the drafts to date make public commentary much more possible. My thanks to you for that!

For this next step, here's the same question as below: is it possible to have a non-PDF version for suggesting edits? The request may not be possible to honor (too many may ask for the same), yet there's no harm in asking. My goal is to offer observations for your evaluation in the most convenient form. Any ideas?

Thanks,
Peter

From: Peter Pollack
Sent: Tuesday, September 22, 2009 12:51 PM
To: Rampson, Wendy
Subject: FW: Design guidelines review

Hi Wendy,

Now that Near North has drawn to a close (thanks so much for your assistance in this process, too; City review of the revised project would not have been possible w/out you and Matt!!!), it's time to move on to other efforts. Guess which one is next...

A few initial comments were sent to Marcia last week (below) and I've been reading through the 28Aug09 draft page by page. There are some additional observations and suggestions to share, yet all are in the context of a much improved iteration compared to the April preliminary draft. I also know that you are no longer leading this 'charge' given the recent change in your role but ask that you cc anyone else involved if/as appropriate.

The big question: Might it be possible to have access to a word version of the text? We set this up last spring but the process changed w/ the re-hiring of Winter and Co. A writeable version of the current draft would help now. It's always possible to find another way to respond if my request cannot be fulfilled.

Either way, thanks for your consideration,
Peter

From: Raymond Detter
Sent: Sunday, October 11, 2009 4:34 PM
To: Norm Tyler; Ilene R. Tyler; Peter Nagourney; Pollack, Peter (PMAC); Christina Crockett; Eppie Potts; C. Robert Snyder; Christine Brummer; Raymond A. Detter; Tom Whitaker; Nystuen, Gwen (PAC); Susan Wineberg; Alice Ralph; Ellen Ramsburgh; Hugh Sonk; Sabra Briere; Vivienne Armentrout; Higgins, Marcia; Dileo, Alexis; Smith, Sandi; Miller, Jayne; Rampson, Wendy; Hieftje, John
Subject: A2D2 Design Guidelines and Zoning

This is very important to all of Us!

Last Monday the City Council voted to move the date for approval of the A2D2 Design Guidelines and Zoning to November 5th. On that night the public hearing for the guidelines will be continued from the last meeting. On the same night the A2D2 Zoning will have a public hearing as a part of its second hearing. Then both documents will be voted on by City Council in tandem. Even though you spoke at last Monday's meeting, you may speak about the guidelines during the public

hearing scheduled for Zoning. Both are, after all, inseparably linked. That needs to be made clear. The Zoning should not be approved without acceptable Design Guidelines and a mandatory Process to apply them.

We now know that Mayor Hieftje and a number of other Council members will support a mandatory process and a voluntary compliance pattern that is yet to be completely developed and clearly stated as a part of the guidelines/zoning process. We absolutely need to have that clarified as well as the process for making changes in the future. That is what the community wishes.

In our last joint statement to Council we spelled out clearly what we wanted. I am attaching the joint letter of the OFW, the Downtown Area CAC, and the Board of Sloan Plaza on this issue. It has so far been influential. I am also attaching the statement that I had previously sent to Alexis Dileo after the uproariously negative design meeting at Kerrytown Concert House. That statement was very specific about changes desired in the last rendition of the Design Guidelines. Some of you have individually sent out recommendations for changes. Perhaps, some of them have already been made.

From: C. Robert Snyder

Sent: Friday, October 16, 2009 2:49 PM

To: Hieftje, John; Sabra Briere; Smith, Sandi; Derezinski, Tony; Rapundalo, Stephen; Greden, Leigh; Taylor, Christopher (Council); Teall, Margie; Higgins, Marcia; Anglin, Mike; Hohnke, Carsten (Westpole)

Cc: Stephen Kunselman; DiLeo, Alexis; Rampson, Wendy; Fraser, Roger

Subject: Fwd: A2D2 Planning Design Guidelines--the Case for MANDATORY!

Dear Mayor Hieftje, City Council members & member-to-be, and City planning staff,

As we race down the approval process for the A2D2 Design Guidelines (dragging ourselves kicking and screaming!), the issue of "Mandatory" versus "Advisory" or "Suggestions" or "It Would Be Nice If..." keeps rearing it's ugly head! Perhaps that's because it's important and won't go away until "Mandatory Compliance" is clearly and firmly in place.

My understanding is that, as of now, going through the process of Design Review is likely to be made mandatory, BUT compliance with the suggested Design Guidelines is being left to the developers to do what they wish, i.e. take them or leave them. Sounds nice and democratic (actually, it's more Republican than Democratic!) and reliant upon the developer's and architect's good will, taste, and regard for the design integrity of the community of Ann Arbor. Alas, up pops the Buffalo Chicken Wings building (co. State/Washington) or Ashley Terrace (co. Huron/Ashley --actually not anywhere near as bad as most people say, and certainly could have been worse!).

All that good work--staff, consultants, citizens--endorsed by City Council but left to the good graces of "The Developer" to decide if it's worth their money to take that extra step and spend a bit more money, perhaps, to "make it really look and be nice!" Methinks there are probably less than a half dozen local developers/architects in the City and close surrounds who have demonstrated good taste and zest for the design enhancement and architectural richness which a "good looking/well functioning" piece of architecture brings to the City. As an example, drive

down--better yet, stand in the center of E. Huron facing west about where Tios used to be, and rate what's worth keeping architecturally. Exactly only two buildings stand the test of time and taste: the old fire station/tower, and the Key Bank building southwest corner of Main and Huron! The rest within this four or five-block corridor--a major route through our city--are remarkable only for their blandness if not quite outright homeliness. Now that I see it in print, it's "homely" architecture more so than "bad" or "ugly" that's the common denominator of much of Ann Arbor's buildings this last half century! Certainly nothing to write home about, and nothing special to leave our future generations!

While the mandatory application of the Design Guideline will, depending on the quality of the guidelines themselves, not guarantee a handsome or elegant building, the voluntary application of "a bit of this, a bit of that, keep your eye on the cost" isn't about to produce much memorable (for its elegance, not its homeliness) architecture in the true downtown district of the City.

There's also no guarantee that even if the Design Guidelines were adhered to religiously that they would produce something memorable either--but at least the odds are better than so-called "voluntary compliance."

It's unclear exactly why some (on Council, Planning Commission, staff, DDA, citizen groups and individuals) think the Design Guidelines are good enough to aspire to, and inspire developers/architects to follow the path to good looks/taste/functionality, but are not good enough to be made mandatory! Might be that less-than-inspired Design Guidelines might hold back the truly extraordinary end-product.

For another take on why the Design Guidelines should be both proposed and made mandatory (i.e. that knowing in advance what's expected to be at least met if not exceeded, without throwing any curve balls "shoulda been this, shoulda done that" as the steel, brick, and mortar are going up) please read, digest, and think about the following email from Tony Pinnell, sent originally to NBPA's Peter Nagourney and Ward 3 Council member Christopher Taylor. The message: just like little kids, developers like leadership, rules, clarity and predictability. It makes for fewer surprise and fewer in-process work change orders! And lower construction costs!

Thank you!
C. Robert Snyder
South University Neighborhood Association

Begin forwarded message:

From: Peter Nagourney <nagourney@gmail.com>
Date: September 9, 2009 1:06:20 PM EDT
To: "C. Robert Snyder" <chazsnyd@gmail.com>
Subject: Re: A2D2 Planning Design Guidelines

Bob:

Tony Pinnell (tony.pinnell@gmx.com) sent the following to Christopher and to me. Why don't you suggest that he circulate his remarks further; Christopher may not be inspired to do so.

Peter

Tony Pinnell wrote:

Regarding the design "guidelines", and whether they are mandatory or not:

This is the big question overshadowing the entire issue - and has obviously been overlooked by the public. Most people have assumed all along that the Design Guidelines were to be mandatory once approved.

Non-mandatory guidelines are bad for all parties - developers as well. Laymen might think that developers rub their hands with glee over non-regulation, but the opposite is true. Non-definition of boundaries creates uncertainties of interpretation of old, existing regulation, and very often leads to costly, time-consuming claims and counterclaims. Claims mean nonconformance costs are incurred, and nonconformance costs (NCC) is the word that all developers hate.

One good person to speak to about this would be Mike Halle (husband of Debbie Halle who works hard for the Burns Park Players; they live over by Tappan). He's a construction manager at a big firm active in A2, for the university as well, and knows his stuff - also internationally, as he is often over in the Middle East managing construction projects. I'm certain that Mike likes to know solid rules in advance, before ground is broken.

Once a design has reached "design freeze" status, every single action - every phone call, meeting, generation of documents, etc., constitutes activity that was not budgeted in the project costing, and thus slows progress and erodes profit. Developers (like children and animals!) need and want to know their boundaries. Otherwise, heads roll in the chain of accountability. This is one of the most basic, rock-solid commandments of architecture-engineering.

Every A2 decision-maker on this issue of mandatory or non-mandatory should be aware of this key fact: "mandatory" saves work and money; "non-mandatory (voluntary)" creates vast grey areas undermining regulatory authority - the hunting ground peopled by claims lawyers, who are the only ones who profit from fuzzy, no-teeth recommendations.

Is it too late to re-baptize this effort as "Mandatory Design Guidelines and Standards", that could also allow inclusion of "Advisory Recommendations" to address issues difficult to regulate through mandatory standards?

Tony

From: Raymond Detter
Sent: Tuesday, October 27, 2009 11:14 PM
To: DiLeo, Alexis
Cc: Hieftje, John; Sabra Briere; Smith, Sandi; Derezinski, Tony; Rapundalo, Stephen; Greden, Leigh; Taylor, Christopher (Council); Higgins, Marcia; Teall, Margie; Anglin, Mike; Norm Tyler; Ilene R. Tyler; Raymond A. Detter; Tom Whitaker; Beverly Strassmann; Alice Ralph; Pollack, Peter (PMAC); Christina Crockett; Peter Nagourney; Hugh Sonk; C. Robert Snyder; Betsy Price; Eppie Potts; Miller, Jayne; Rampson, Wendy; Pulcifer, Connie; Vivienne Armentrout; Ray

Fullerton
Subject: Design Guidelines

Dear Alexis,

Thirteen concerned citizens--representing all of the eight residential neighborhood associations near the downtown--met last night at the home of Norm and Ilene Tyler to evaluate and recommend changes in the most recently proposed, September 30, 2009, Downtown Ann Arbor Design Guidelines document. All of the persons present had been asked to carefully read that document before the meeting so informed and intelligent recommendations could be made.

Moving very swiftly, we accomplished a lot, but after over two hours of intense discussion and analysis, we were far from finished with our work. I am attaching a copy, prepared by Norm Tyler, of what we have accomplished so far, with recommended changes highlighted. We plan to meet again next Monday to continue our work. We will also send you the results of that meeting. We want to give this important document the careful consideration and analysis it deserves.

Our experience last night indicates the necessity of taking the time required to do this properly. All of us are in favor of having the City Council approve the A2D2 Design Guidelines in tandem with the A2D2 Revised zoning. Indeed, we should all insist on it. This is the most important change proposed for downtown and the city in twenty years. Some of us have been working on this for over five years. The product keeps improving. We do not, however, believe that the work can be completed by November 16 in time for the scheduled public hearings. How many members of City Council will have had the time to carefully read the document by that date? Will necessary changes be included?

We believe that the final vote should be put off until we all have a chance to make the additional improvements that are needed, to allow the Planning Department time to incorporate them, and to fully discuss the product in a public forum. The City Council meeting of December 7 would probably allow everyone the time necessary to do this right.

Our group postponed further discussion of the very important issue of a mandatory process with a Design Review Board and possibilities of voluntary or mandatory compliance. This has to be decided, however, and specifically included somewhere in proposed changes before the current Design Guidelines document can be approved along with the A2D2 zoning.

We are attaching the position statement of a portion of our group that was sent to Mayor and City Council on September 18, 2009. Please read it carefully. Last night we reaffirmed that stated position. We believe that much of that information must be included as a part of any tandem approval of the Design Guidelines and the Zoning.

We are committed to taking as much time as necessary to achieve these goals. We believe that City Council should do the same. Let's get it right. We are getting closer.

Christine Brummer
Christine Crockett
Strassmann
Ray Detter
Peter Nagourney
Peter Pollack
Tom Whitaker

Betsy Price
Ethel Potts

Alice Ralph
Bob Snyder

Hugh Sonk
Beverly

Ilene Tyler
Norm Tyler

***The revisions are in a Microsoft Word document. To see all the revisions users should turn on the "Track Changes" command in MS Word. That will show deletions. The colored text only shows additions.

On Nov 4, 2009, at 11:27 AM, Raymond Detter wrote:

Dear Alexis,

Twelve representatives from the eight residential neighborhood associations near downtown met again last night at the Tyler home to further evaluate and recommend changes in the September 30 Ann Arbor Design Guidelines document. After very diligently working another three hours, we were still not finished. I am attaching two files, prepared by Norm Tyler, of the additional highlighted changes we recommend so far. We will meet again next Monday, November 9, hopefully to complete our work.

We stopped our work at the point at which we realized the "Midtown Character District" map on page 3-10 seemed to be in conflict with the "Character Districts" map on p. Intro-7. We wondered how the historic properties of Peter Heydon on East Washington were identified in all of this since they are located directly across the street from a photo of Bell Telephone with a caption reading "Washington Street in Midtown provides and (sic.) important connection from the (sic.) State Street to Main Street." It was too late and we were too exhausted to figure it out. We will start there next Monday.

As you know, there are a lot of changes that need to be made. We inserted the words or idea of existing "context" a lot. That is much on our minds. We worked to come up with a clear, consistent vision of what the document means by "human scale"-- even "scale" for that matter. I believe we actually subtracted more words and images than we added in the interest of greater clarity, brevity, and accuracy. We want to illuminate points rather than make them confusing. How will they be interpreted by a future member of that very essential Design Review Board? It certainly emphasized the importance and the need to never again appoint anyone to the Planning Commission who does not believe in design guidelines. That is, if we want to make A2D2 succeed.

Without being specific at this point, some of us were struck again and again by an awareness that there are times with the Design Guidelines seem to be in conflict with the proposed Zoning. We realize that many of these conflicts may be worked out over the course of the next year, but we need to be aware of them now so we will be better prepared to deal with them when the need arises.

Right now, this entire process needs more time--certainly moving the final voting date from November 16 to December 7, at the very least. Some of us have spoken to the Mayor and to particular members of City Council regarding ways of doing this. We were encouraged to think that a way will be worked out to provide the time that is needed--perhaps even beyond December 7. So many changes are needed, far more than can be added as amendments during a City Council session. Somewhere, the entire process for design review, the specific Design Review Board membership, powers, and mandatory process must be spelled out in relation to the Design Guidelines. We believe that every member of City Council and the public should have access to an updated, amended copy of the Design Guidelines before the public hearings are completed and the Council takes its final vote.

Alexis, would it be possible for a few representative members of our group, including Norm and Ilene Tyler, and Ray Detter to meet with you, perhaps along with the consultant? Next week on Wednesday, would be good. I know that you are committed to making this work. That is also the goal of our group. We believe a meeting with you will help to make that happen.

Christine Brummer	Betsy Price	Hugh Sonk
Christine Crockett	Ethel Potts	Beverly Strassmann
Ray Detter	Alice Ralph	Ilene Tyler
Peter Nagourney	Bob Snyder	Norm Tyler
Peter Pollack	Claudius Vincenz	Tom Whitaker

From: Raymond Detter

Sent: Tuesday, November 10, 2009 11:20 AM

To: DiLeo, Alexis; Hieftje, John; Sabra Briere; Smith, Sandi; Derezinski, Tony; Rapundalo, Stephen; Greden, Leigh; Pollay, Susan; Taylor, Christopher (Council); Higgins, Marcia; Teall, Margie; Anglin, Mike; Norm Tyler; Ilene Tyler; Raymond A. Detter; Tom Whitaker; Beverly Strassmann; Alice Ralph; Pollack, Peter (PMAC); Christina Crockett; Peter Nagourney; Hugh Sonk; C. Robert Snyder; Betsy Price; Eppie Potts; Miller, Jayne; John Hilton; Rampson, Wendy; Claudius Vincenz; Pulcipher, Connie; Vivienne Armentrout; Ray Fullerton; Christine Brummer; Christine Brummer; Stephen Kunselman

Subject: A2D2 Design Guidelines and Process

Alexis,

Four files are attached to this email. {Staff note: These files are provided separately and not within the body of this document.} They represent the compiled revisions of the Design Guidelines (Sept. 30 edition) that were completed today by fifteen representatives of the eight neighborhood associations near downtown. Great care has been given to consideration of these changes and all are important.

Two significant sections need to be added. The first section on "Context" has been included on pages I-4 and 2-1. The second section should be included in Part I, "Table of Contents," on the Design Review Board, including: How Members are selected and trained" and "The Administrative procedures for the Review Board." We have requested that this page be located as part of the Introduction under the heading of "Applying the Design Guidelines." This section would explain the entire mandatory review and compliance process and the make-up of the design review board.

Before A2D2 Zoning Revisions and Design Guidelines are approved, City Council must make a firm commitment to establishing a Design Review Board to evaluate development projects.

Such developments should have mandatory review by the board, with voluntary compliance initially. Incentives such as premiums will be granted to developers only if their project complies with the board's determination. It is anticipated that in one year, after the process of design review has been fully established, full compliance may be made mandatory. Compliance is essential in character areas, on sites adjacent to historically designated buildings, and in situations where non-compliance would clearly have a negative impact upon existing residential neighborhoods and units.

Our group gave careful consideration to the process by which a major project might move forward for approval. Developers should continue to meet with a member of the planning staff as a first step in the process of project review. A Preliminary Design meeting with the public, already required of developers, should be continued. Reports to the City Planning Department will continue to be required with all information made available to the public.

After these first steps, a developer would be required to submit the project to a five member Design Review Board. All meetings will be publicly announced and open to the public. A member of the Planning Staff would act as the board's secretary and would be responsible for writing the board's final decision and recommendations. Decisions would be available to the public so citizens could provide written and spoken comments during the course of public hearings at Planning Commission.

Members of the Review Board will be selected based on their expertise in design issues. The board should be made up of five individuals who represent the following: An informed member of the public at large, an architect, an urban planner, a historic preservationist, and a member of the real estate development community.

Appointments should be solicited from the professional community. Selected individuals should not be serving on other development-related boards or commissions. New board members will receive instruction according to a program established by design consultants on how to function as a member of the board. Members must become familiar with the content and close relationship of the Downtown Master Plan, the Downtown Zoning Ordinance, and the Downtown Design Guidelines.

There are examples of well-functioning design review boards in other cities. We encourage Council members to examine existing models for best practices.

To better understand the impact of the design review process, we propose Council apply the guidelines (as revised) to several currently controversial sites to illustrate what a development could look like if the design guidelines were followed, as well as if they were ignored. Sites that might be used for this comparison include Metro 202, 601 Forest, 413 East Huron, the west and east sides of Sloan Plaza, the site of the Fifth Avenue parking structure, and the Brown Block.

Our committee spent many hours preparing recommendations as to what should be included in the design review process. We hope everyone involved will give the following

recommendations their careful consideration. Council should take as much time as needed in deliberation on adoption of the zoning ordinance and design guidelines. It is essential that they then approve the A2D2 Design Review Process and Guidelines in tandem with the revised A2D2 Zoning.

Sincerely,

Christine Brummer	Betsy Price	Hugh Sonk
Christine Crockett	Ethel Potts	Beverly Strassmann
Ray Detter	Alice Ralph	Ilene Tyler
Peter Nagourney	Bob Snyder	Norm Tyler
Peter Pollack	Claudius Vincenz	Tom Whitaker

From: Peter Pollack

Sent: Monday, November 16, 2009 12:07 PM

To: DiLeo, Alexis

Cc: Higgins, Marcia; 'Pratt, Evan'; Rampson, Wendy

Subject: RE: Design guidelines review

Good morning Alexis,

Attached is a tracked version (thanks to Eleanor) of the 30 September 2009 Design Guidelines w/ some observations and suggestions for alternate wording.

FYI, I did attend the first session of Ray's working group at the Tyler's home, so that my Chapter 1, pgs 1-6, suggestions and those of the group will have some similarities (illness prevented me from attending the subsequent two sessions...). I have not checked for commonalities w/ the group's other two e-mailed revisions.

My review was focused primarily on clarification of language keeping in mind that quite different audiences will be reading and attempting to use this document, i.e., development teams, the general public, City administration/department staff, and members of a Design Review Board, Planning Commission and City Council. The use of more commonly understood terms might facilitate greater understanding by a wide ranging community of interest w/ different motivations. An example: the word "scale" and phrase "sense of scale" have been replaced some 38-40 times in favor of more definitive/precise language describing what sense of scale might mean.

Two additional points: 1) I believe that a mandatory process w/ voluntary compliance is a valid beginning, and that a Review Board consisting of mostly design professionals is also appropriate - a board of 11 people could facilitate a vigorous and creative discussion based on the guidelines while reflecting that design decisions have many components and points of view; 2) the design guidelines review sequence should be carefully coordinated w/ the schedule of events required by our new Public Participation Ordinance – the two processes would serve the community best if they, while different in specifics, are part of an integrated project review procedure.

Thank you for the opportunity to submit these suggestions. Get in touch if questions...
Peter

PS: Best wishes to you and the committee as you give consideration to the comments received; blending all into a single document is likely to be a task and a half.

PPS: Could you please forward this e-mail on to Roger Hewitt? Thanks.
