

Section 14. Large Scale Retail Design Review Procedure

§14.1 PURPOSE

This Section establishes the required review and approval procedures for Design Review, which is the review procedure for determining compliance with the site planning and building design standards of this *LDC*.

§14.2 APPLICABILITY

Design Review must be successfully completed in accordance with the requirements of this Section prior to the start of any of the following activities in any zone district:

- A. New Development.** Development of new large retail sales establishments.
- B. Building Additions.** Any addition of more than 10,000 square feet to the building floor area of an existing retail sales establishment with an existing building floor area larger than 40,000 square feet.
- C. Building and Site Alterations.** Any alteration or addition to an existing large retail sales establishment affecting the external building appearance, number or location of buildings, function of on-site vehicular/pedestrian circulation, or landscape, screening and buffering features.
- D. New or Modified Pad Sites.** Any alteration, deletion, or addition to pad and/or liner building sites that were included in the original design review approval.

§14.3 GENERAL REQUIREMENTS

A design review approval is a binding development order and all improvements reflected on approved site plans must be completed. All restrictions and conditions of Design Review approval must be fulfilled as follows:

- A. Permit Applications.** No development application or building permit shall be approved unless the site plan reflects all required improvements.
- B. Certificate of Occupancy.** All improvements reflected on approved site plans must be constructed prior to issuance of the Certificate of Occupancy (CO). All terms and conditions of Design Review approval must be met at the time of issuance of the Certificate of Occupancy.
- C. Temporary Certificate of Occupancy.** A Temporary Certificate of Occupancy (TCO), with a maximum one-year duration, may be issued where an improvement cost estimate, prepared by a Colorado-licensed civil engineer, is submitted along with a *Development Improvement Agreement* secured by corporate surety bond, irrevocable letter of credit, cash and/or other means acceptable to the Community Development Director. The collateral amount for the agreement shall equal 125 percent of the cost as determined to be satisfactory by the Community Development Director.

§14.4 APPLICATION, REVIEW, AND DECISION

A. Preapplication Conference. Prior to the submission of development applications, applicants shall attend a preapplication conference as set forth in §6.4, Stage 1: Preapplication Conference. The purpose of the conference is to respond to questions the applicant may have regarding application procedures, standards, or regulations required by this chapter.

B. Submittal Requirements. A complete application for Design Review shall be submitted to the Community Development Director as set forth in §6.6, Stage 3: Staff Review of Development Application. In addition to the minimum submittal requirements specified in §6.5 C, Minimum Application Contents, a complete, scaled site plan shall be submitted showing all the existing and proposed uses, lot dimensions for the specified property, and shall, at minimum, include the following:

1. a narrative addressing the proposed development explaining and tabulating the land uses for the entire site including: planned open spaces; potential traffic generation; overall character and architectural style; the relationship of the proposed development to existing developments within 700 feet of the proposed development’s boundaries; and other related development features;
2. architectural elevations for all façades, a description and sample of building materials, and a description of design elements;
3. existing topographic contours at two-foot intervals;
4. final grades and grading plan, with topographic contours at two-foot intervals;
5. erosion control plans;
6. site information, including:
 - a. gross area of the site;
 - b. percent of area devoted to streets and vehicular circulation;
 - c. percent of area devoted to open space and common open space;
 - d. square footage of the building footprint of each structure;
 - e. percent of area devoted to each land use type proposed;



FIGURE 37 DESIGN REVIEW PROCEDURE

- f.** calculations of gross and net densities, including estimated total floor area for any nonresidential uses per acre;
- g.** bearing, distance and curve radii of property boundaries;
- h.** existing and proposed structures in relation to the exterior property lines, existing and proposed streets;
- i.** setbacks, including corner setbacks and intersection visibility triangles;
- j.** curb lines and sidewalks;
- k.** floodplains, drainageways, and any proposed detention/retention locations;
- l.** drainage plan prepared by Colorado-licensed engineer;
- m.** landscaping and screening plan established by a landscape architect who is an active member of the American Institute of Architects;
- n.** fences and walls, in plan view and section;
- o.** loading and accessibility spaces;
- p.** ingress and egress points and intersection design, with sections showing turn lanes, etc;
- q.** off-street parking layout and internal circulation plan, in plan view;
- r.** refuse locations;
- s.** existing and proposed utility lines and fire hydrants;
- t.** a master sign plan consisting of five elements that shall govern all signs within the development: location, materials, size, color and illumination;
- u.** outdoor lighting plan including the tear sheets for all proposed fixtures, location, mounting height and shielding characteristics of each lighting fixture, both proposed and any already existing on the site;
- v.** location map relative to off-site streets and properties;
- w.** detailed traffic study per §4.10 G.1, Transportation Impact Study Requirements;
- x.** baseline automobile and truck traffic data for all adjacent neighborhoods within 700 feet of the development site served by local and minor collector streets that link to the development site;
- y.** proposed Waivers, calling out each Waiver using illustrative plans and elevations, and describing in narrative form how each proposed Waiver complies with the provisions of

§14.5, Waivers; and

- z. any additional information requested on a Community Development Department checklist or that may be necessary as requested by the Director to clearly define the intended use of the property and compliance with the applicable standards.
- C. Completeness Review.** The application's completeness review shall be accomplished in accordance with the requirements of §6.6 A, Completeness Review.
- D. Posting and Public Notification.** Once the application is deemed complete by the Community Development Director, the required public notices shall be issued as set forth in §6.7, Stage 4: Provision of Public Notice.
- E. Review and Decision.** The Commission shall review each application for Design Review and act to approve, approve with conditions, remand back to the applicant, or deny the application pursuant to §6.8 C, Action by Decision-Making Body. Design Review applications that are being processed concurrently with rezoning or Conditional Use permits must be reviewed and approved concurrently with the other required approvals.
- F. Notice of Decision.** Within five working days of action by the decision-making body on a Design review application, the Community Development Director shall mail notice of the decision to the applicant.
- G. Expiration of Approval.** An approved Design Review application shall expire 12 months from the date of approval unless a complete building permit application has been submitted and all required fees paid. The applicant may request vesting of the approved site-specific development plan as described in §6.9, Stage 6: Actions Following Development Approval.

§14.5 DEVELOPMENT STANDARDS WAIVER

In order to provide flexibility in the administration of this *LDC* by the City, certain development standards contained in Section 4 may be considered for a waiver pursuant to the directives established in Section 9 of this *LDC*.

Submittals must comply with the provisions of §14.4 B, Submittal Requirements, those materials listed in §6.5 C. Minimum Application Contents.

§14.6 DESIGN REVIEW STANDARD OBJECTIVES

Approved Design Review applications shall comply with the applicable standards of the *LDC*, including those of §4.10, Large Scale Retail. In carrying out the purpose of this Section with respect to the external design and siting of the buildings, it is the intent of this Section that the City shall exercise the minimum control necessary to achieve the overall objectives thereof. Approval shall be considered in accordance with the following objectives:

- A. Architecture.** Encourage architectural design features that mitigate the visual impacts of the size and scale of large retail sales establishments.
- B. Neighborhood Compatibility.** Assure that large retail development site planning promotes compatibility with surrounding residential, commercial areas, and other areas in the city.

- C. Pedestrian Friendly.** Promote pedestrian-friendly design and public transit access.
- D. Environmental Sustainability.** Encourage best development practices for energy conservation, watershed management, and air quality protection.
- E. Efficient Transportation Design.** Advance transportation design elements that provide safe and efficient internal circulation and are integrated with the external transportation system.
- F. Master Plan Compliance.** Require that the development design elements and location are in compliance with the *City of Gunnison Master Plan*.