



Town of Castle Rock

Agenda Memorandum

Agenda Date: 1/21/2020

Item #: 1. **File #:** ID 2020-005

To: Honorable Mayor and Members of Town Council

From: Bill Detweiler, Director of Development Services
Julie Kirkpatrick, Long Range Project Manager

Study Session: Design Review Board Membership and Responsibilities

Executive Summary

Staff to make a presentation and provide information.

Attachments

Staff Memo
Attachment A: CRMC 17.42.090, 17.42.100, 17.42.110
Attachment B: CRMC 17.42.070
Attachment C: Design Review Board Bylaws
Attachment D: CRMC 17.42.080 (added 01-21-2020)



AGENDA MEMORANDUM

Date: January 21, 2020

To: Honorable Mayor Gray and Town Council

From: Bill Detweiler, Director of Development Services
Julie Kirkpatrick, Long Range Project Manager

Subject: Design Review Board Membership and Responsibilities

Executive Summary

Following discussion at the December 3, 2019 Town Council meeting, Council directed staff to prepare an outline of the composition, powers, and duties of the Design Review Board (DRB) to review and discuss in a study session.

This report provides a summary of the history and decisions that led to previous Council's adoption of the Downtown Plan of Development (DPD), Downtown Development Authority (DDA), Downtown Overlay District (DOD), which included formation of the Design Review Board (DRB) and provides questions and recommendations for review and discussion with Council.

Discussion

History:

In 2002, following adoption of the 2020 Vision and Comprehensive Master Plan, Town Council created the theme that Castle Rock is a "world class community with small town character." As Castle Rock continued to grow at a rapid pace, Town Council recognized that downtown represents "small town character" in Castle Rock. To place emphasis on that theme, in the summer of 2006, Town Council appointed the Downtown Advisory Commission (DAC) with the goal to identify and recommend options and opportunities to improve the downtown environment. The Commission consisted of representatives from Town Council, Town staff, downtown property owners, downtown business owners, and representatives from Douglas County, the Douglas County School Board, and Douglas County Library Board. A series of meetings occurred where numerous options and recommendations arose and the group consensus was that a strong effort was needed to encourage investment and reinvestment to improve downtown character. In 2008 the DAC led an effort for downtown property owners to vote and form a downtown district boundary and create the Downtown Development Authority (DDA) including an additional 3 mills of property tax within the boundary. The DDA was identified as the leadership group using Tax Increment Financing (TIF) authority under State Statute to encourage and assist with ongoing investment, reinvestment and improvements in downtown. Significant progress occurred following creation of the DDA with several high profile projects sharing TIF.

In accordance with the efforts to improve downtown, in 2008 Town Council adopted the Downtown Plan of Development to be implemented by the DDA, and in 2010 Council adopted the DOD administered by Town staff. The DOD established architectural, landscaping, building design, and site development guidelines to encourage compatible land uses and ensure higher quality development in downtown to protect property values and to provide safe and efficient pedestrian and automobile access. The DOD encourages mixed-use within the same structure or block and high-intensity commercial development. In 2013 Council adopted an update to downtown signage to outline standards for sandwich board signs on sidewalks, banner signs, LED signs, murals, and roof signs (**Attachment F**). The code encourages signs that maintain the historic character of downtown.

Design Review Board Makeup and Authority:

The Design Review Board was formed in 2010 following Council adoption of the DOD and consists of seven members.

- One member from the Planning Commission with a one-year term;
- Two members from the Downtown Development Authority Board with a one-year term;
- Two members from the Historic Preservation Board with a one-year term, and;
- Two property owners within the Downtown Development Authority boundary. Downtown property owners may not be members of the aforementioned boards and they serve a two-year term.
- If at any time a Design Review Board member loses qualification for appointment, that member shall concurrently lose a seat on the Design Review Board.

The Board and Commission members nominate representatives to the DRB and those nominations are reviewed and appointed by Town Council, and serve at the pleasure of Council. The two downtown property owner positions undergo the same appointment procedures as other Board and Commission members that Council appoints. Each DRB member serves a one-year term with the exception of properties owners who serve a two-year term.

All involved with formation and adoption of the DOD determined that the code should not be “prescriptive,” similar to building codes in Santa Fe, New Mexico, Charleston, South Carolina or Saint Augustine, Florida. Instead, in 2010, Council found the code should provide flexibility through use of building materials, building colors, and building height. Council decided that the DRB was the best group to determine appropriateness of site planning, architecture, and building design and those allowances were included in the DOD code language.

In accordance with the 2010 Council adoption of the DOD, the DRB has authority to review all Site Development Plan applications within the DOD boundary and to conduct those reviews and decisions at a public hearing meeting. Project design review is based on the Council adopted Vision and Comprehensive Master Plan, Castle Rock Design, and the Downtown Master Plan.

A site development plan application requires public hearings with DRB to provide a thorough review of the guiding documents and code standards and allows for community input on applications. The DRB may approve, approve with conditions, or deny an application based on the code standards. If a site development plan is denied by the DRB, the applicant may appeal to the Town Council within 30 days of the DRB action. The Town Council reviews any appeal and considers the DRB action following notice and public hearing procedures in the code.

The DRB has authority to grant variances to lot width, setbacks for front yard, side yard, and rear yard, landscape standards, DOD design standards, and fence height, outdoor display of merchandise, and accessory structures and uses. Section 17.42.100.C (**Attachment A**) outlines the process the DRB must consider when reviewing a variance request. Before any variance is granted or denied, the DRB makes a written finding stating the exceptional conditions, the practical difficulties or unnecessary hardship involved and why there is, or is not any adverse effect on public health, safety and welfare. Unless otherwise stated in the DRB resolution, the applicant has six months to apply for a building permit to match the approved variance and all new construction must be completed within two years from the date the building permit was issued.

The DRB has authority to review building heights in the DOD, as listed in Section 17.42.070.C (**Attachment B**), and the building height depends upon where the building is located within Downtown. There are three districts in the DOD, the Core District and the North and South Districts.

The **Downtown Core District** is bounded by 5th Street on the north, railroad tracks on the east, 2nd Street on the south and I-25 on the west. Building height in the Downtown Core District is limited to four stories, with a maximum height of 60 feet. A landowner may request one additional floor, with the corresponding increase in building height, in the Downtown Core District. The Board, at its discretion, may grant an additional floor request after considering the following criteria:

1. Whether the project will incorporate design elements found in adjacent Landmark structures, and;
2. The impacts of the increased building height on adjacent properties;

Prior to the issuance of a structural building permit within the DOD, all projects must be reviewed by the Board for compliance with the standards set forth in this Section.

The **North District** is bounded by Wolfensberger Road on the north, railroad tracks on the east, 5th Street on the south and I-25 on the west. The **South District** is bounded by 2nd Street on the north, railroad tracks on the east, the Safeway center on the south and I-25 on the west. Building height in the North and South Districts is limited to six stories, with no maximum height limitation. The Board, at its discretion, may grant two additional floors in the North and South Districts.

The DRB conducts hearings open to the public so they adopt bylaws to govern how public hearings are conducted. Staff attached the DRB bylaws for Council review (**Attachment C**).

Questions and Recommendations:

Questions:

Based upon discussion at the December 3, 2019 Council meeting about DOD code standards and DRB authority, staff is seeking input on the following questions:

1. Does Council want to review and discuss changes to the DRB makeup?

Adoption of the DOD in 2010 included a section outlining the DRB makeup. The basis of staff recommendation and Council acceptance at that time, was to appoint a Board focused solely on site and building design for all downtown applications and to act on variance requests, similar to the expertise that various Boards and Commissions offer to Council. Council found that a Board made up of individuals with a background in site and building design, engineering, land development, and real estate or business would be

appropriate to review and act on downtown applications versus Council. In addition, Council found that a Board with the authority to review and act on downtown applications would aid with expediency of review and action to further encourage investment and reinvestment downtown. That was the basis in 2010 for Council's decision to appoint a member from the Planning Commission, the DDA, the HP Board and property owners to place an emphasis on downtown development.

2. Does Council want to review and discuss changes to DRB authority?

In 2010 Council decided to appoint Town residents to the DRB with expertise in land development activity and downtown ownership. Around the same time, Council decided they did not want to continue reviewing all commercial site plan applications at public hearings located outside downtown. Council granted authority to Town staff to administratively review and act on all commercial site plans, not residential, outside downtown less than 10 acres and / or less than 100,000 sq. ft. in size. That decision was made based upon several factors including, but not limited to, feedback from property owners and the development community about the uncertainty of time needed to publicly review smaller land use applications and the technical expertise associated with review of land use applications. Council found that land use applications of a specific size could be handled by staff with expertise in engineering and design related issues to provide certainty and consistency to land use applicants in a high growth community.

3. Does Council want to review and discuss changes to the DOD code standards and design guidelines?

In 2010, Council found that a Board with expertise in land development activities and focused solely on downtown applications would aid with protecting Council adopted policies, plans and codes. The design guidelines adopted by Council have been in place for approximately 12 years and the DOD has been in place for approximately 10 years. Development activity in downtown, following adoption of the policies and codes noted, established a baseline for discussions with Town staff, the DRB, and the DDA. Several major projects received DRB approval under the existing guidelines and code standards. Based upon Council discussion there may be interest to make changes to the DOD standards and design guidelines or the process associated with public review and decision making.

Summary for Council Review:

Staff included a list of DRB actions starting in 2010 through 2019 (**Attachment D**) and a list of downtown projects that received funding from the Town (**Attachment E**). A majority of DRB actions relate to site plan approval, façade improvements, landscape improvements, canopy construction and signage. The Riverwalk and Encore projects also requested additional building height and the DRB approved additional building height for those projects.

Based upon the projects approved by DRB to date, staff suggests that projects exceeding 10,000 sq. ft. could be considered "major projects". Projects reviewed at public hearings and approved by the DRB that exceed 10,000 sq. ft. include:

- 695 Jerry Street mixed use retail and office building at 24,120 sq. ft.
- Acme Water Tower mixed use retail and restaurant buildings at 11,937 sq. ft.
- The Move office building at 72,800 sq. ft.
- Mirage Dental mixed use medical office building at 18,477 sq. ft.
- Riverwalk north and south retail, office and residential buildings at 264,508 sq. ft.
- 505 Jerry Street apartment building at 18,163 sq. ft. *****this project was not constructed*****

- Encore retail, office and residential building at 465,500 sq. ft.

The DOD currently states that Council does not review any downtown development application. However, Town Council reviews and acts on downtown projects if the applicant is requesting funding from the Town or shareback funding through TIF. Projects approved by the DRB that also required Council funding approval include:

- The Move with a \$900,000 loan ***the loan was repaid with interest***
- Mercantile Commons with a TIF shareback agreement
- 221 Wilcox with a TIF shareback agreement ***the project was not constructed***
- 5th Street Apartments with a TIF shareback agreement ***the project was not constructed***
- Riverwalk with a TIF shareback agreement
- Encore with a TIF shareback agreement

Recommendations for Council Review:

Staff reviewed projects approved by DRB and projects that required TIF shareback agreements approved by Council. Staff is seeking feedback from Council on the following recommendations:

- Staff recommends DRB continue to act on all existing plans and variances as identified in the DOD except projects defined as “major projects”.
- Staff recommends that major projects be defined as any downtown project that exceeds 10,000 sq. ft. in building area.
- Staff recommends Council act on all major projects and the DRB act as a recommending body to Town Council on major projects. This matches the Planning Commission’s authority as a recommending body on all site plans outside the DOD boundary.

This recommendation allows smaller downtown development applications such as site plans, façade improvements, landscape improvements, canopy construction and signage improvements to be reviewed and acted upon by the DRB, while providing Council with authority to act on any major project in downtown.

Attachments

Attachment A:	CRMC 17.42.090, 17.42.100, 17.42.110
Attachment B:	CRMC 17.42.070
Attachment C:	Design Review Board Bylaws
Attachment D:	Design Review Board Actions
Attachment E:	Projects with Financial Assistance
Attachment F:	Downtown Sign Code

Attachment A:

Castle Rock Municipal Code Sections 17.42.090, 17.42.100, 17.42.110

Attachment B:

Castle Rock Municipal Code Section 17.42.070

Attachment C:
Design Review Board Bylaws

Attachment D Design Review Board Action Items



DRB Action Items 2010-2019

Year / File ID	Status	Title	Agenda Date	Building SF (if new)	TIF
2010					
		no applications, DRB newly formed			
2011					
	Approved with Conditions	SDP - façade improvements, landscape - 19 N. Wilcox Street	10/12/2011		
2012					
	Approved with Conditions	SDP - building expansion/addition, new patio, landscape - 207 Perry Street	9/12/2012		
	Approved with Conditions	SDP - façade improvements, landscape - 314 N Wilcox	9/12/2012		
	Approved with Conditions	SDP - façade improvements - 390 S Wilcox	9/26/2012		
	Approved with Conditions	SDP - façade improvements for detached garage - 422 Elbert Street	11/1/2012		
	Approved with Conditions	SDP - 404, 414 N Perry and 411 Fourth Streets (Rink at the Rock)	11/1/2012	5,556	
2013					
	Approved with Conditions	SDP - façade improvements - 411 Fourth Street	5/8/2013		
	Approved with Conditions	SDP - façade improvements, landscape - 15 N Wilcox Street (Van Wyk)	9/25/2013		
2014					
	Approved with Conditions	SDP - façade improvements, landscape, sidewalk - 101 Briscoe Street (Blue Spruce Vet Clinic)	2/26/2014		
	Approved with Conditions	SDP - 695 Jerry Street (commercial, 3 stories)	3/26/2014	24,120	
	Approved with Conditions	SDP - 514, 518, 522 N Perry Street (Acme Water Tower Center, 4 buildings total)	4/9/2014	11,937	
2015					
	Approved with Conditions	SDP - 202 Sixth Street (The Move, 4 stories)	1/14/2015	72,800	loan, repaid in full
	Approved	SDP - patio, fence, exterior door - 611 N Wilcox Street (Vista Vino)	6/24/2015		
	Approved	SDP - addition/enclosed porch - 21 N Wilcox (Graneli's)	8/12/2015		
	Approved with Conditions	SDP - 85 Rio Grande Drive (Mirage Dental, 3 stories)	9/23/2015	18,477	
	Approved with Conditions	SDP - 230 Third Street - (Mercantile Commons, 4 stories)	11/18/2015	25,920	yes
	Approved with Conditions	SDP - 301 Jerry Street (Sushi Restaurant)	11/18/2015	3,329	
2016					
	Approved	SDP Amendment - patio canopy - 3 N Wilcox Street (Union)	4/13/2016		
	Approved	SDP Amendment - façade improvements - 312 N. Wilcox Street	6/22/2016		
	Approved	SDP - canopy signage - 80 E. Plum Creek Parkway (Conoco)	6/22/2016		
	Approved with Conditions	SDP - 111-113 N Wilcox and 215 N Wilcox Street (Riverwalk North, 5 stories, 115,332 SF and Riverwalk South, 6 stories, 149,176 SF)	9/14/2016	264,508	yes
	Approved	SDP Amendment - patio, landscaping changes - 514 N Perry Street (Castle Rock Beer Company, now Iron Mule Brewery)	12/14/2016		

2017					
	Approved	SDP Amendment - façade changes - 111-113 N Wilcox Street and 215 N Wilcox Street (Riverwalk)	4/26/2017		
	Approved	SDP - façade improvements - 309 Jerry Street	4/26/2017		
	Approved	SDP Amendment - ATM kiosk - 190 S Wilcox Street (ENT Credit Union)	6/14/2017		
	Approved	SDP Amendment - façade improvements - 390 N Perry Street (Lost Coffee)	9/13/2017		
	Approved with Conditions	SDP - 505 Jerry Street (apartments @ 5th and Jerry, 6 stories)	9/13/2017	18,163	yes, expired
	Approved with Conditions	SDP - 519 N. Wilcox Street (Wild Blue Yonder Brewery)	11/8/2017	3,450	
2018					
DRB 2018-002	Approved	SDP Amendment - façade changes - 519 N. Wilcox Street (Wild Blue Yonder Brewery)	5/9/2018		
DRB 2018-003	Approved	Mural Sign - 411 4th Street (Castle Rock Bike & Ski)	5/9/2018		
DRB 2018-008	Approved	Roof Sign - 400 Third Street (The Barn Antiques and Specialty Shops)	11/28/2018		
DRB 2018-009	Approved	Canopy Sign - 310 S. Wilcox Street (Valero/Circle K Fuel Station)	8/22/2018		
DRB 2018-013	Approved	SDP Amendment - Common Sign Plan - 115 North Wilcox Street (Riverwalk South) and 215 North Wilcox Street (Riverwalk North)	12/12/2018		
2019					
DRB 2019-001	Approved	SDP Amendment - facade changes - 514 N. Perry St. (Iron Mule Brewery)	2/13/2019		
DRB 2019-004	Approved with Conditions	SDP Amendment - façade changes - 115 and 215 N. Wilcox Street (Riverwalk)	3/27/2019		
DRB 2019-006	Approved	SDP - façade improvements, landscaping - 501 N. Wilcox Street (Independent/Guaranty Bank)	5/22/2019		
DRB 2019-007	Approved with Conditions	SDP Amendment - patio changes - 215 N. Wilcox Street (Riverwalk North)	5/22/2019		
DRB 2019-009	Approved	SDP Amendment - façade improvements - 218 N. Wilcox Street	6/12/2019		
DRB 2019-010	Approved	SDP Amendment - canopy entrance - 85 Rio Grande Drive (Mirage Dental)	6/12/2019		
DRB 2019-011	Approved	SDP Amendment - façade improvements - 509 N. Wilcox Street	6/12/2019		
DRB 2019-013	Approved	SDP - façade improvements - 407 N. Wilcox Street (The Fort CPA)	8/28/2019		
DRB 2019-017	Approved with Conditions	SDP - 8, 14, & 20 N. Wilcox Street and Town Hall Parking Lot (Encore Mixed-Use Building, formerly Festival Park Commons, 7 stories)	8/14/2019	465,500	yes
DRB 2019-020	Approved	SDP - facade improvements - 302 N. Wilcox Street (Provision Bar)	9/25/2019		

Attachment E

Projects with Financial Assistance

	Type	Status	Amount Distributed	Amount Estimated To Be Earned By DEVELOPER	Cap That Can Be Earned by DEVELOPER	Amount Estimated To Be Earned By TOWN/DDA	Fees, Use Tax Waiver
The Move Building	Loan	100% Repaid w/ Interest	\$900,000 loaned. Has been repaid.	\$0	\$0	\$0	\$0
Mercantile Commons	Shareback - 50% Prop. & 50% Sales Tax (Cap: 2032)	Ongoing	\$51,932	\$1,008,392	Up to \$1,300,000 incl. fees and shareback	\$2,145,574	\$291,608
221 Wilcox - Niebur	Shareback - 50% Prop. & 50% Sales Tax	Expired - Project couldn't generate sufficient ROI	\$0	\$0	\$0	\$0	\$0
5th Street Apartments	Shareback - 40% Sales Tax	Expired - Project couldn't generate sufficient ROI	\$0	\$0	\$0	\$0	\$0
Riverwalk	Shareback - 75% Prop. & 75% Sales Tax (Cap: 2037 & 2042)	Ongoing	\$0	\$8,262,114	Up to \$3,587,623 in fees and \$11,500,000 in shareback	\$2,754,037	\$3,587,623
Encore	Shareback - 80% Prop. & 50% Sales Tax (Cap: 2032)	Ongoing	\$0	\$4,832,164 + Town Land (Valued at \$2,465,000)	80% Prop. Tax & 50% Sales Tax until 2032.	\$21,926,402	\$2,762,847

Attachment F: Downtown Sign Code

19.04.053 - Signs in Downtown Overlay District.

The following regulations shall apply to all signs located within the Downtown Overlay District. The regulations, standards and provisions in this Section support the overall objectives of the Downtown Master Plan, acknowledge the historic sign character of the Town, encourage enhancement of the economic vitality of the downtown business community, and encourage a distinctive pedestrian-friendly and walkable community. In the event of a conflict between the entitlements, regulations or standards established in this Section and the equivalent provisions in this Chapter, the provisions in this Section shall govern. Except in the event of such preemption by this Section, the provisions of this Chapter and all other provisions of this Code shall be applicable and enforced within the Downtown Overlay District.

A. Subject to review and approval that may be required pursuant to Subsection I. below, the following permanent sign classes are permitted:

1. Awning signs. One awning sign per awning.
2. Canopy signs.
3. Flags and flagpoles. One flagpole per building frontage.
4. Freestanding signs. One freestanding sign or one joint identification sign per building frontage.
5. Identification signs. One building identification wall sign per building frontage.
6. Joint identification sign. One joint identification sign or one freestanding sign per building frontage.
7. Marquee signs. One marquee sign for theater-type uses per frontage.
8. Murals. One mural per wall façade.
9. Parapet and roof signs. One parapet or one roof sign per building frontage.
10. Projecting/suspended signs. One projecting/suspended sign per building frontage.
11. Sandwich board signs. One sandwich board sign per building frontage.
12. Time-temperature-date signs. One time-temperature-date sign per building frontage.
13. Wall signs. One wall sign per building frontage.
14. Window signs. One window sign per window.
15. Signs with visible moving, revolving or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or mechanical means, or signs with optical illusion of movement by means of a design that presents a pattern capable of reversible perspective giving the illusion of motion or changing of copy.
16. Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color or use intermittent electrical pulsations.
17. Strings of light bulbs.
18. Signs that incorporate projected images.
19. Any electric sign cabinet that does not have affixed to it the label of Underwriters Laboratories.

B. The following temporary sign classes are permitted:

1. Banner signs. One temporary banner sign per building frontage.
2. Construction/development signs. One temporary construction/development sign per building frontage.
3. Political signs. One temporary political sign per building frontage.
4. Real estate signs. One temporary real estate sign per building frontage.

C. No person shall erect, install, contract for installation, cause to install or maintain the following signs and the following sign classes are prohibited in the Downtown Overlay District:

1. Inflatable signs.
2. Roof signs that are portable, flash, blink, fluctuate or are animated.
3. Signs that are created with aerosol spray paint (except for murals).
4. Signs that emit sound.
5. Signs not permanently affixed or attached to the ground or to any structure except real estate signs and construction signs meeting the requirements of Subsection 19.04.053.B. above, window signs, temporary banners, signs carried by persons and sandwich board signs.
6. Any sign that is structurally unsafe, constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation, is not kept in good repair or is capable of causing electrical shock to persons likely to come into contact with it.
7. Any sign in a public right-of-way, except for signs exempted pursuant to Sections [19.04.012](#), [19.04.044](#) and [19.04.052](#) of this Chapter.
8. Any sign that obstructs the view of, may be confused with or purports to be an official traffic sign, signal or device or any other official sign.
9. Any sign that uses any words, phrases, symbols or characters implying the existence of danger or the need for stopping or maneuvering of a motor vehicle, where the danger or need to stop does not exist.
10. Any sign that obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.
11. Any sign on a vehicle, provided that such vehicle is not parked in a location normally associated with the location of that type of vehicle, such as near a loading dock or employee entrance and is not being used as a freestanding sign.
12. Illegal nonconforming signs.
13. Off-premises advertising signs or any other sign not appurtenant and clearly incidental to the permitted use on the property where located, except for signs located in a sign plaza or neighborhood/village directional signs; for which a special permit is granted in accordance with the provisions of [Section 19.04.032](#) and Subsection 19.04.055.I. of this Chapter.
14. Any sign deemed obscene by the Town Manager.
15. Wind signs (except for banner signs).
16. Any sign that no longer advertises a bona fide business conducted or a product sold on the premises shall be considered unused and shall be removed by the owner, agent or person having the beneficial use of the building, lot or structure upon which the sign may be found within one hundred eighty (180) days.

D. The following sign classes do not require a sign permit:

1. Sandwich board signs.

E. Subject to the limitation on total sign area set forth in [Section 19.04.052](#) of this Chapter, the maximum area per sign face for signs shall be:

1. Awning signs. Fifty percent maximum of the total square footage of an individual awning.
2. Banner signs. Thirty-two square feet per face.
3. Construction/development signs. Thirty-two square feet per face for freestanding, wall or window temporary construction/development signs.
4. Flags. Sixty square feet. Government flags shall not be counted in total site signage.
5. Freestanding signs. Fifty square feet per sign face for freestanding signs, except joint identification signs.
6. Identification signs. One square foot of signage for each linear foot of building frontage for building identification wall signs, not to exceed fifty square feet.
7. Joint identification signs. One and one-half square feet of signage for each linear foot of building frontage for joint identification freestanding signs, not to exceed one hundred square feet per face.
8. Marquee signs. One and one-half square feet of marquee signage for each linear foot of building frontage, not to exceed 100 square feet.
9. Mural signs shall not extend beyond the building façade.
10. Parapet or roof signs. One and one-half square feet of parapet or roof signage for each linear foot of building frontage, not to exceed 100 square feet.
11. Projecting/suspended signs. Eight square feet.
12. Real estate signs. Thirty-two square feet per face for freestanding, wall or window temporary real estate signs.
13. Sandwich board signs. Eight square feet per sandwich board sign face.
14. Wall signs. One and one-half square feet for each linear foot of building frontage, not to exceed 25% of the wall to which the sign is attached.
15. Window signs. Twenty-five percent of the window area.

F. The following maximum sign heights are permitted:

1. Banner signs. Banner signs may be mounted no taller than the height of the wall to which the banner is attached.
2. Construction/development signs. Temporary construction/development signs may be mounted no taller than the height of the wall to which the temporary sign is attached. Temporary freestanding construction/development signs may be no taller than eight feet.
3. Flagpoles. Twenty feet.
4. Freestanding signs. Twenty feet for freestanding signs that are not temporary signs.
5. Identification signs. Identification signs may be mounted no taller than the height of the wall to which the identification sign is attached.
6. Joint identification signs. Twenty feet for freestanding joint identification signs.

7. Parapet signs. Parapet signs may be mounted no taller than the height of the parapet wall to which the parapet sign is attached.

8. Projecting/suspended sign. The bottom of the projecting/suspended sign may be no lower than eight feet from the adjacent grade or sidewalk below, and may be mounted no taller than the height of the wall to which it is attached.

9. Roof signs shall not exceed the height of the roofline by more than 25% of the overall height of the sign.

G. The following minimum setbacks are required:

1. All sign classes may be located zero feet from all property lines.

H. Sign regulations.

1. Murals. Murals shall require design review and approval by the Design Review Board pursuant to Subsection I. below.

2. Roof signs. Roof signs shall require design review and approval by the Design Review Board pursuant to Subsection I. below.

3. Temporary banner signs. Temporary banner signs must be mounted to the wall of a building to which the sign is appurtenant and may not be mounted on freestanding poles.

I. Public hearing required; procedure. Murals, roof signs and canopy signs shall require review and approval by the Design Review Board. Such applications shall be forwarded to the Design Review Board for a public hearing.

1. Town staff shall develop the appropriate forms, submittal and review fees and other administrative protocols for Design Review Board review and action in accordance with [Section 17.42.110](#) of this Code.

2. The Design Review Board shall hold all public hearings required under this Chapter. The public notice for such hearing shall be provided as set forth in [Chapter 17.04](#) of this Code.

3. At the conclusion of the public hearing, the Design Review Board shall approve, approve with conditions or deny the application applying the criteria of this Section.

4. An aggrieved applicant may appeal the decision of the Design Review Board to the Town Council. Requests to appeal the decision of the Design Review Board must be filed with the Department of Development Services within thirty days of the date that the Design Review Board adopts written findings, or, if none, the date of final Design Review Board action. The Town Council shall hear the appeal request at a public hearing noticed in accordance with the requirements of [Chapter 17.04](#) of this Code, and shall uphold, reverse or modify the decision of the Design Review Board, after a review of evidence presented by the applicant and any other interested party at the public hearing before Town Council and application of the criteria set forth in Subsection J. below.

J. Design Review Board. The intent of the criteria set forth in this Subsection is to encourage creative and artistic design for signs of distinctive character, and to facilitate the return of historic sign types, within the Downtown Overlay District ("DOD"). This intent shall guide application of the following criteria by the Design Review Board for signage applications within the DOD:

1. Signs shall be compatible with the character of the surrounding district and adjacent architecture when considered in terms of scale, color, materials, lighting levels and adjoining uses;

2. Signs shall be expressive of the business or activity for which they are displayed;

3. Signs shall be oriented or illuminated so as not to adversely affect the surrounding area or existing nearby residential uses or structures. Examples of adverse effects are glare from intense illumination and large signs or structures which visually dominate an area;

4. Signs may be creative in the use of two- and three-dimensional forms, iconographic representations, lighting and graphic design, including the use of color, pattern, typography and materials;
5. Signs shall be constructed utilizing high quality, durable materials that meet the physical demands of an urban setting; and
6. Roof signs shall be designed to be architecturally compatible with the structure and are prohibited on flat roofs. Roof signs must be located parallel to and facing the right-of-way.

K. Variances. Applications for variances from the strict application of the requirements of this Section shall be made pursuant to [Chapter 17.06](#) of this Code.

17.42.090 - Design Review Board.

- A. The Design Review Board shall consist of seven (7) members appointed by the Town Council in accordance with Chapter 2.14 of this CRMC. The Design Review Board shall be comprised of:
 - (i) One (1) member from the Planning Commission;
 - (ii) Two (2) members from the Downtown Development Authority Board;
 - (iii) Two (2) members from the Historic Preservation Board; and
 - (iv) Two (2) property owners within the Downtown Development Authority boundary. Such property owners may not be members of the aforementioned boards.
- B. Terms for each member of the Design Review Board shall be as follows:
 - 1. Planning Commission representative - One-year term.
 - 2. Downtown Development Authority representatives - One-year term.
 - 3. Historic Preservation Board - One-year term.
 - 4. Property owners with the Downtown Development Authority boundary - Two-year term.

If at any time a Design Review Board member loses his or her qualification for appointment, such member shall concurrently lose his or her seat on the Design Review Board.
- C. Unless expressly modified in this Section 17.42.090, the Design Review Board shall serve in accordance with the provisions of Chapter 2.14 of this CRMC.

([Ord. No. 2016-011, § 1, 5-17-2016](#) ; [Ord. No. 2015-04, § 7, 2-17-2015](#) ; Ord. 2012-18 §1)

17.42.100 - Powers and duties of Design Review Board.

The Board shall have the following powers and duties, all of which shall be exercised consistent with the purpose and intent of this Chapter:

- A. Review all development applications that require a Site Development Plan - Downtown under Chapter 17.38 for compliance with this Chapter, including but not limited to setbacks (Section 17.42.060), building height and crown (Section 17.42.070), design standards (Section 17.42.080), outdoor display of merchandise in Section 17.52.150, accessory structures and uses, and variance requests.
- B. Upon a written finding that, by reason of exceptional shape or topography of a lot or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of the property from a strict enforcement of this Chapter, or an effort to achieve the overall vision and goals of the Downtown Master Plan and/or the Historic Preservation Plan, the Board may grant a variance for the following:
 - 1. Minimum width of lot;
 - 2. Minimum front yard;
 - 3. Minimum side yard;
 - 4. Minimum rear yard;
 - 5. Minimum landscape requirements;
 - 6. Design standards in Section 17.42.080 above;
 - 7. Maximum front yard;
 - 8. Maximum fence height;

9. Outdoor display of merchandise in Section 17.52.150; and
 10. Accessory structures and uses.
- C. The process for consideration of a variance is prescribed in Section 17.42.110, subject to the following requirements:
1. Before any variance is granted or denied, the Board shall include a written finding in its minutes as part of the record in each case, stating specifically the exceptional conditions, the practical difficulties or unnecessary hardship involved and why there is or is not any adverse effect on public health, safety and welfare.
 2. Unless otherwise stated in the Board resolution, the applicant shall have six (6) months to apply for a building permit in accordance with the approved variance, and all new construction shall be completed within two (2) years from the date such building permit is issued.
 3. If the Board, or the Town Council on appeal, determines that a variance should be approved or approved with conditions, it shall grant only such relief as is necessary to carry out the intent of this Chapter, and may grant a different form of variance than that requested by the applicant.

(Ord. 2012-18 §1, 2012)

17.42.110 - Procedure for Board review, approval and appeal.

- A. A Site Development Plan - Downtown shall be submitted in compliance with the Development Procedures Manual and application fees as defined in the Development Services Fee Schedule.
- B. The Board shall hold a public hearing on all applications submitted under this Chapter. The public notice for such hearing shall be governed by Chapter 17.04 of this CRMC.
- C. The Board shall approve, approve with conditions or deny an application based on the criteria in this Chapter and the review and approval criteria set forth in Section 17.38.040.
- D. The applicant for a Site Development Plan - Downtown that is denied by the Design Review Board may appeal to the Town Council within 30 days of the Board's action. The Town Council shall review and consider the Site Development Plan - Downtown following the notice and public hearing procedures in Chapter 17.04, CRMC and the review and approval criteria set forth in Section 17.38.040 and Chapter 17.42.

(Ord. 2012-18 §1, 2012)

17.42.070 - Crown design and building height.

- A. A building's crown design shall be reviewed by and is subject to approval of the Board based aesthetic design, conformity with the Downtown Master Plan, and the need to maintain appropriate view sheds. The crown of a building is defined as the area of the structure that is above the top floor, and may include angled roofs, decorative elements, towers and other similar construction.
- B. Maximum building heights within the DOD are regulated as follows:
 - 1. Downtown Core District: The Downtown Core District is defined as that area depicted on Figure 1 below.

A detailed street map of the Downtown Core District. The map shows a grid of streets with a central area highlighted in black. The highlighted area is bounded by N Wilcox Street to the west, N Perry Street to the east, Front Street to the north, and Third Street to the south. Major roads include Interstate Highway 25 running vertically through the center, and Front Street running horizontally across the middle. Other streets shown include Park Street, N Wilcox Street, N Perry Street, N Gilbert Street, S Wilcox Street, S Perry Street, S Gilbert Street, and various residential streets like Eighth, Seventh, Sixth, Fifth, Fourth, Third, Second, and First. The map also shows the location of the downtown core relative to the surrounding area, including the location of the downtown core relative to the surrounding area.

- a. Building height in the Downtown Core District is limited to four stories, with a maximum height of 60-feet. A building's crown cannot exceed the sixty-foot building height limitation.
2. North and South Districts: The North District is defined as the area depicted on Figure 2 below. The South District is defined as the area depicted on Figure 3 below.

Figure 2

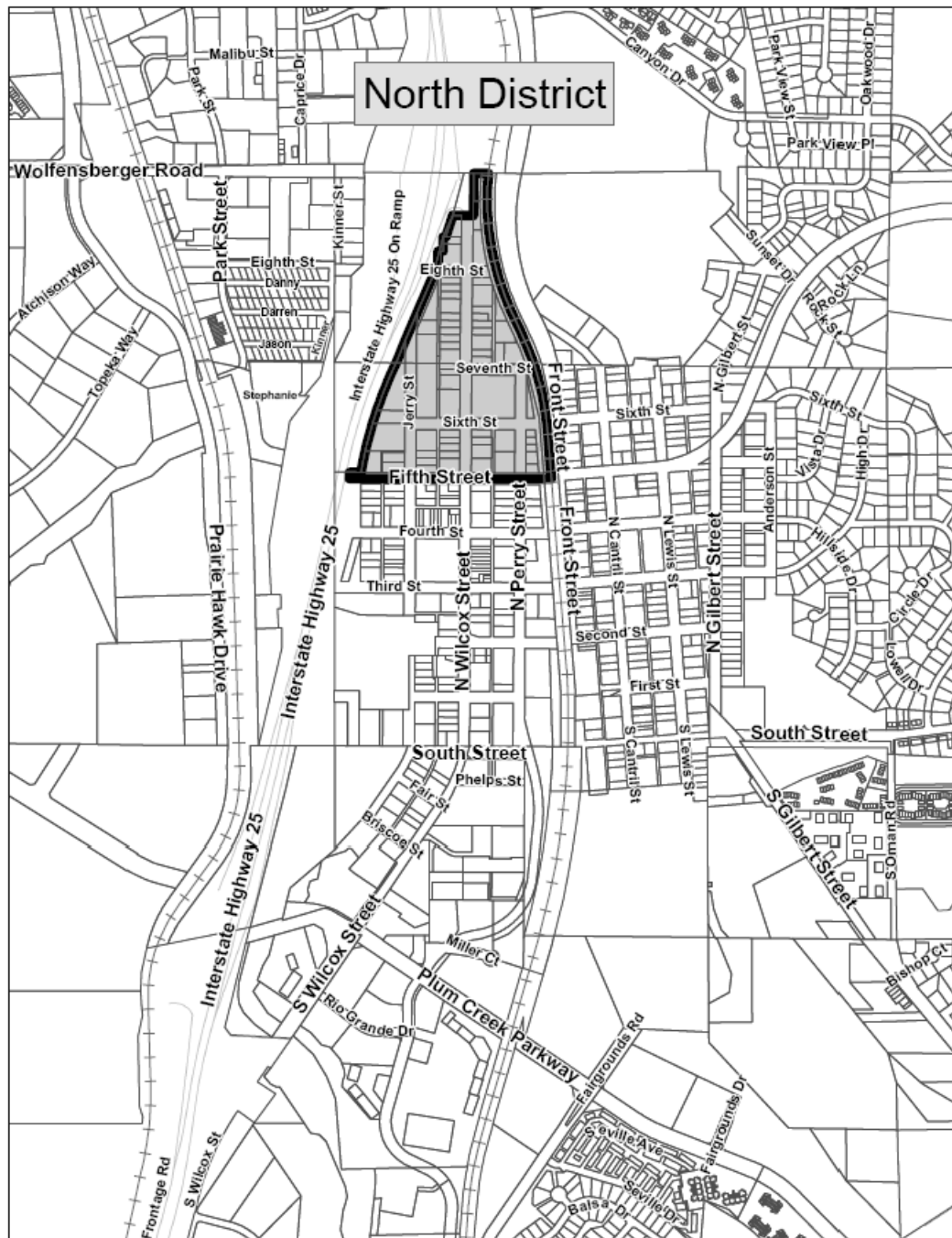


Figure 3

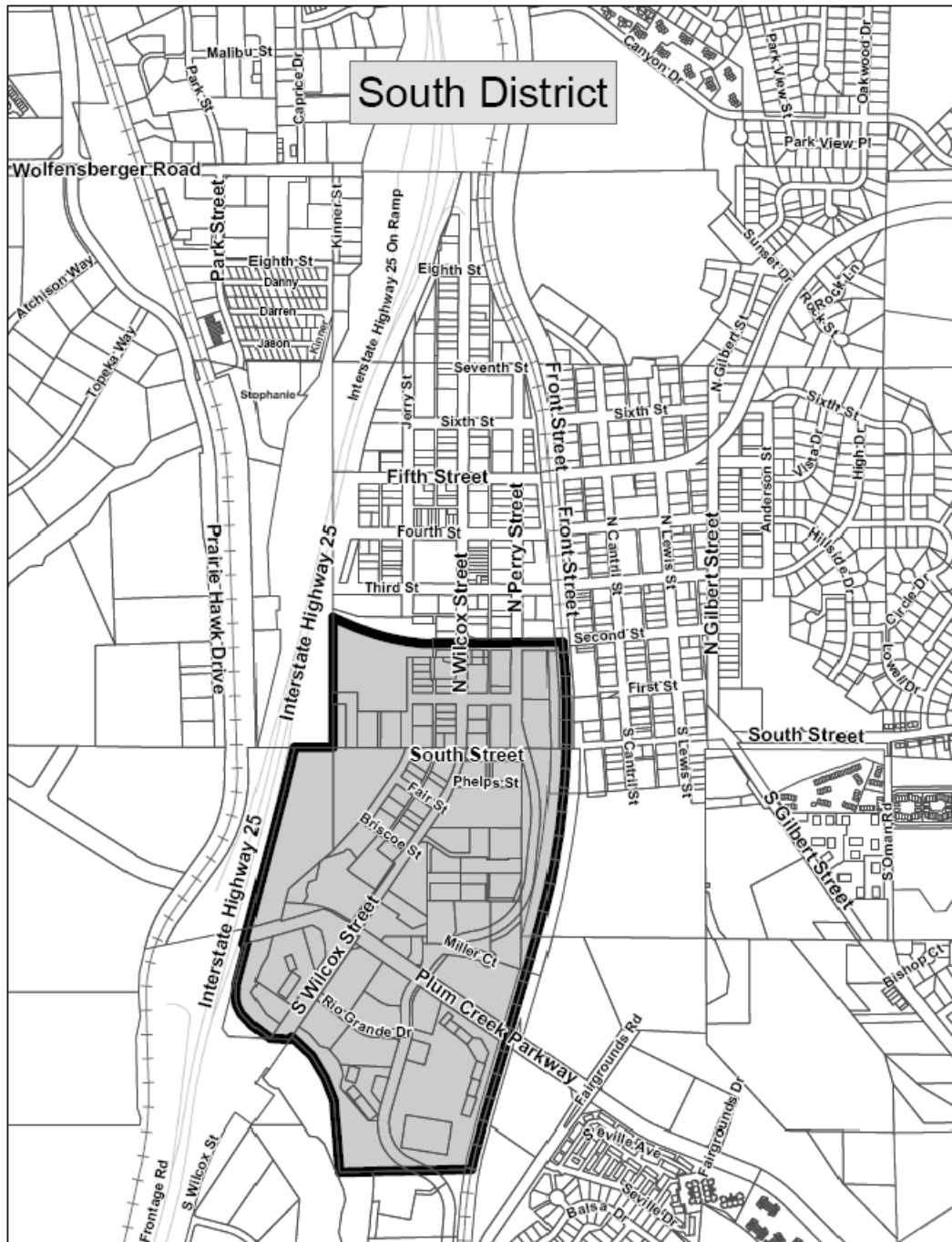
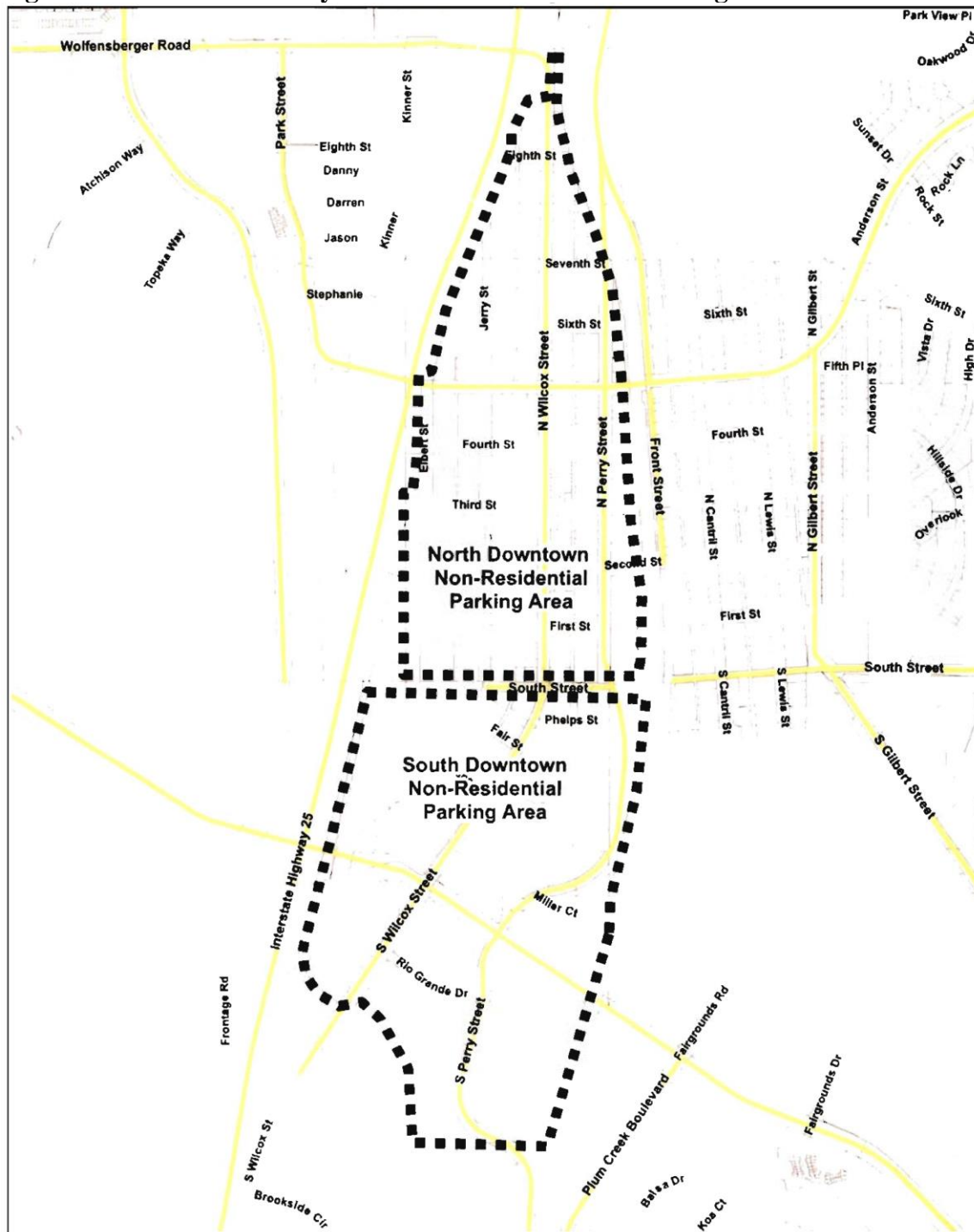


Figure 4 Downtown Overlay District Non-Residential Parking Areas



- a. Building height in the North or South Districts is limited to six (6) stories, with no maximum height limitation.
- C. A landowner may request one (1) additional floor (with the corresponding increase in building height) in the Downtown Core District, or two (2) additional floors in the North and South Districts through the Board. The Board, at its discretion, may grant an additional floor request after considering the following criteria:

1. Whether the project will incorporate design elements found in adjacent Landmark structures;
and
2. The impacts of the increased building height on adjacent properties.

(Ord. 2012-18 §1)

([Ord. No. 2015-60, § 1, 1-5-2016](#))

**TOWN OF CASTLE ROCK
DESIGN REVIEW BOARD
BYLAWS**

The Design Review Board of the Town of Castle Rock has been established by the Town Council to serve the Town Council. Castle Rock Municipal Code Section 17.42.090. The Design Review Board is empowered to promulgate its own internal rules and regulations not in conflict with the ordinances of the Town, and to provide a public forum for the further development and orderly growth of the Downtown region of Castle Rock as outlined in Castle Rock Municipal Code Section 17.42.100. Pursuant to the authority granted to the Design Review Board, the Design Review Board hereby adopts the following bylaws to govern its conduct and procedures.

Article 1 – Authorization

A. Purpose

The purpose of the Design Review Board is to review applications that require a site plan under Chapter 17.38 for compliance with this Chapter 17.52, including but not limited to setbacks (17.42.060), building height and crown (17.42.070), design standards (17.42.080), and variance requests. The Design Review Board is also to assist, advise and coordinate with the Town Council the implementation of the Downtown Master Plan, Historic Preservation Plan and other duties that maybe assigned by the Town Council.

B. Powers

The Design Review Board shall have the powers granted to it by Chapter 17.42 of the Town of Castle Rock's municipal code.

C. Duties

The Design Review Board shall communicate, coordinate and advise the Town Council of its activities and accomplishments, hold public meetings in conjunction therewith, promulgate its own internal rules and regulations not in conflict with the ordinances of the Town, and provide a public forum for the further development and orderly growth of the downtown region.

Article 2 – Organization

A. Officers

The officers of the Design Review Board shall be the Chair, and a Vice-Chair. In the absence of both the Chair and Vice-Chair, the members present at such meeting may designate a Chair pro-tem to preside over the meeting. The Chair and Vice-Chair shall be elected by majority vote from the Design Review Board at the first meeting held after

Board and Commission appointments by Town Council of each year. Terms for officers shall be for one year.

The Chair shall be the executive officer of the Board and shall preside over all meetings of the Board, call special meetings and workshop sessions of the Board as needed, sign documents of the Board, cancel regular meetings, and see that all actions of the Board are properly taken.

The Vice-Chair shall be empowered with the same duties and authorities as the Chair in the absence of the Chair.

B. Staff

The Planning Department, under the direction of the Planning Director, shall provide necessary technical and advisory support to the Board and, through the Town, shall retain needed outside consultants to assist the Board.

C. Membership

The Board shall consist of seven members, each of which shall be appointed by the Town Council pursuant to Chapter 17.42.090 of the Castle Rock Municipal Code.

D. Removals and Vacancies

Members shall serve at the pleasure of the Town Council and may be removed by the Town Council at any time for any reason. Vacancies which may occur shall be filled by the Town Council for the remainder of the unexpired term.

E. Personal Conduct

Each member of the Board shall exhibit the highest degree of professionalism and commitment to public service possible through the thorough and impartial examination of all matters before the Board. Members shall make every effort to avoid any appearance of conflict or impropriety in their dealings with the public and each other. Members shall avoid using their position on the Board in matters related to personal gain.

Members shall comply with the Code of Conduct, Castle Rock Municipal Code Chapter 2.05.

F. Application of Laws

The Board shall conform to all Castle Rock Municipal codes and regulations, as well as any Colorado statute, which may apply to members' conduct or activity, or the Board as a whole.

Article 3 – Procedure

A. Regular Meetings

Regular meetings shall be held on the second and fourth each month, excluding legal holidays. All regular meetings of the Design Review Board shall commence at 6:00 p.m. and continue until 9:30 p.m., unless sooner concluded. The meeting may be extended beyond 9:30 p.m. by a unanimous vote of the Design Review Board members present. Meetings are held in the Council Chambers at Town Hall, 100 N. Wilcox Street, Castle Rock, Colorado, unless otherwise designated. All meetings shall be open to the public. Any regular meeting of the Board may be cancelled by the Chair in the event there are no public hearing or discussion/action items for the meeting's agenda.

B. Special Meetings

Special meetings may be called by the Chair or two members of the Board. The Chair or two members calling the special meeting shall fix the place and time for the special meeting, and shall give the members 24 hours notice of the special meeting, as provided below in Article 3 (D).

C. Unusual Circumstances of Meetings

In the event of unusual circumstances at a meeting, such as a power outage or other natural or manmade interruptions, the Board has the prerogative to take a short recess to make a decision about how to proceed. If the interruption is longer than thirty minutes, or if circumstances make it impossible to conduct the meeting in a normal fashion, then the public hearing(s) will be continued to a later date.

D. Notice of Meetings

Notice to the members of each regular meeting shall be deemed given by these Bylaws. Notice to the public of regular or special meetings shall be given in compliance with the Colorado Open Meetings Law, C.R.S. Section 24-6-401, *et seq.*, as from time-to-time amended. Notice of special meetings shall be given to members at least 24 hours in advance by either (1) announcing the special meeting at a regular meeting; or (2) transmitting electronic mail or fax, in all cases directed to the member at his or her residence or place of business.

E. Quorum

A majority of the members of the Board shall constitute a quorum for the transaction of business at any meeting, provided that if less than a majority of the members are present at said meeting, a majority of the members who are present may adjourn the meeting to another time without further notice.

F. Manner of Acting

The act of a majority of the members present at a meeting at which a quorum is present shall be the act of the Board.

G. Minutes and Records

Minutes of all meetings of the Board shall be kept. The Planning Department shall maintain all of the records of the Board and shall transmit them timely to the Board for their review and approval.

H. Executive Sessions

The Board may go into executive session for any reason allowed under the Colorado Open Meetings Law, C.R.S. Section 24-6-401, *et seq.*, as from time-to-time amended. Executive sessions shall be called in the manner set forth in the Colorado Open Meetings Law.

I. Hearing Procedures

The Board shall follow the following procedure for all public hearings:

1. Call to order
2. State brief purpose of the hearing and identify the applicant. Ask for proof of public notice and read it into the minutes.
3. Ask for staff report.
4. Ask for applicant's comments including a description of any displayed graphic materials.
5. Open the Public Hearing and announce the following procedures for taking public comment:
 - a. Any person wishing to speak shall be given an opportunity to make their statements. Persons wishing to speak should place their name on the public hearing sign-up sheet. The order of public testimony will be taken from the sign-up sheet, unless a compelling reason is given to take a person's testimony at an earlier point.
 - b. Before speaking, please identify yourself for the record by stating your name, place of residence, your association with the action before the Board, and any financial or personal interest you may have in that action. If you do not live within the municipal limits of Castle Rock, please state so for the record. Provide your testimony. In the interest of time, please indicate that you agree with another's testimony rather than restating it.
 - c. If you have any material to support your testimony such as pictures, petitions and maps, please present them to the Chair so that they may become part of the record.
6. Allow the applicant an opportunity to present any rebuttal testimony or evidence in response to public comment, testimony, or questions.
7. The Board shall then be given an opportunity to ask questions of the applicants, staff, or any public presenting testimony.

8. Close the public hearing. Once the public hearing is closed, the Board may discuss the application for purposes of preparing a motion on the application.
9. Board motion and vote – the Board may act on the item being heard by giving approval, approval with conditions, denial, or continuation to a date certain.

J. Robert's Rules.

Any matter not addressed by these Bylaws shall be governed by Robert's Rules of Order.


Article 4 – Amendments

These Bylaws may be amended by an affirmative vote of four members of the Board during a regular or special meeting. There shall be at least a five day period between the initial proposal of an amendment and the final vote of the amendment.

Article 5 – Approvals


The above Bylaws for the Town of Castle Rock Design Review Board have been duly considered and reviewed, and are hereby adopted by the Board this 28th day of September, 2016.

ATTEST:



Stuart Butler
Vice Chair

DESIGN REVIEW BOARD:



Jason Bower
Chair

T:\Development Review\Design Review Board\Bylaws 08.26.16 DRAFT – Changes by HH

- A. Prior to the issuance of a structural building permit within the DOD, all projects must be reviewed by the Board for compliance with the standards set forth in this Section.
- B. All project design should be based on the Castle Rock Design (see Resolution No. 2003-64) and the Downtown Master Plan (see Resolution No. 2008-38).
 1. Window or transparency. The main front elevation shall provide at least thirty-five percent (35%) window or transparency at the pedestrian level. Side elevations that face a public roadway shall provide at least thirty percent (30%) window or transparency at the pedestrian level. The window or transparency is measured in lineal fashion. (For example, a one hundred-foot long building elevation shall have at least thirty-five percent (35%) transparency in length.) The height of the glass or Plexiglas must be a minimum height of five (5) feet.
 2. Accessory structures. The design of accessory structures should incorporate design elements of the primary structure and should not become a dominant feature on the property.
 3. Rooftop equipment. All rooftop equipment shall be screened from view on all sides visible to the general public, by building parapet walls or other building elements that appear as integral elements of the overall building.
 4. Service station. All service stations will be required to develop the site following a backwards service station design. This will require the convenience store to be located along the sidewalk/public roadway with pedestrian connectivity. The gas pump facilities shall be located on the side or rear of the project.
 5. Outdoor storage, repair, rental and servicing areas shall be:
 - a. Set back fifteen (15) feet from the front lot line;
 - b. Screened by an opaque wall or fence with a height of ten (10) feet. An opaque wall or fence must completely screen the property beyond the fence and can include stockade fences or walls. Chain-link fences with slat, cloth or other similar measures are not considered to be opaque fences. An opaque berm and/or landscaping that provide the equivalent screening as a required opaque fence may be used.
 6. Landscaping. All developments shall adhere to the following landscaping requirements with a focus on the pedestrian space and sidewalk areas. A landscaping plan will be required with all site plans, showing the proposed landscaping for the site. One (1) large canopy tree will be required for every twenty-two (22) linear feet (on center) or one (1) small canopy tree will be required for every fifteen (15) linear feet (on center) of property fronting along a public roadway. The landscaping plan is subject to approval by Castle Rock Water and Public Works Departments. Routine tree maintenance, such as trimming, thinning, watering and, if necessary, tree replacement may be needed to ensure the quality of the streetscape. The following landscaping provisions include a ratio relationship between the number of plantings required, based upon the number of trees required. All shrubs plants must be a minimum size of five (5) gallons at planting and all flowering perennial plants must be a minimum of one (1) gallon at planting. For every required tree, a corresponding number of plantings or trees, from either Subparagraph a., b., or c., below, will be required for each site plan:
 - a. Shrubs: Five (5) per required tree.
 - b. Perennial plants: Seven (7) per required tree.
 - c. Trees: One (1) per required tree.
 7. Parking Requirements:
 - a. Parking requirements for the North Non-Residential Downtown Parking Area, as depicted on Figure 4 shall be as follows:
 - i. One (1) parking space per five hundred (500) square feet of new construction. The first two thousand (2,000) square feet of new non-residential construction shall be exempt from parking requirements. Interior tenant finishes or remodels are exempt from this parking requirement.
 - ii. Existing building square footage shall be excluded from the required parking calculation. Existing building square footage to be demolished shall be deducted from the new building square footage for parking calculations.
 - iii. Hotel use shall comply with off-street parking standards set forth in Chapter 17.54.



- a. All buildings will be required to have a minimum of one (1) sidewalk connection from a sidewalk located along a public roadway to the entrance of the primary structure.

(Ord. No. 2018-015, § 1, 5-15-2018; Ord. No. 2016-044, § 4.A., 12-6-2016; Ord. No. 2015-06, § 3, 2-17-2015; Ord. 2012-18 §1)

DESIGN REVIEW BOARD MEMBERSHIP AND RESPONSIBILITIES

Town Council Study Session
January 21, 2020



Agenda

- Overview of Downtown Development
- Outline of DRB Membership and Responsibilities
- Questions and Recommendations for Council

Discussion:

1. Does Council want to review and discuss changes to the DRB makeup?
2. Does Council want to review and discuss changes to DRB authority?
3. Does Council want to review and discuss changes to the design guidelines and DOD code standards?

DOWNTOWN DEVELOPMENT

In 2002, following adoption of the 2020 Vision and Comprehensive Master Plan, Town Council created the theme that Castle Rock is a “world class community with small town character.” As Castle Rock continued to grow at a rapid pace, Town Council recognized that downtown represents “small town character” in Castle Rock. To place emphasis on that theme, in the summer of 2006, Town Council appointed the Downtown Advisory Commission (DAC) with the goal to identify and recommend options and opportunities to improve the downtown environment. The Commission consisted of representatives from Town Council, Town staff, downtown property owners, downtown business owners, and representatives from Douglas County, the Douglas County School Board, and Douglas County Library Board.

DOWNTOWN DEVELOPMENT

In 2008 the DAC led an effort for downtown property owners to vote and form a downtown district boundary and create the Downtown Development Authority (DDA) including an additional 3 mills of property tax within the boundary. The DDA was identified as the leadership group to use TIF to encourage and assist with ongoing investment, reinvestment and improvements in downtown. Town Council adopted the Downtown Plan of Development to be implemented by the DDA, and in 2010 Council adopted the DOD. The DOD established architectural, landscaping, building design, and site development guidelines to encourage compatible land uses and ensure higher quality development in downtown to protect property values and to provide safe and efficient pedestrian and automobile access.

DESIGN REVIEW BOARD MEMBERSHIP

The Design Review Board was formed with Council adoption of the Downtown Overlay District. The Board consists of seven members appointed by Council:

- One member from the Planning Commission with a one year term;
- Two members from the Downtown Development Authority Board with a one year term;
- Two members from the Historic Preservation Board with a one year term, and;
- Two property owners within the Downtown Development Authority boundary. Downtown property owners may not be members of other Boards or Commissions and they serve a two year term.
- If a Design Review Board member loses a seat on a separate Board or Commission, that member concurrently loses a seat on the Design Review Board.

DESIGN REVIEW BOARD AUTHORITY

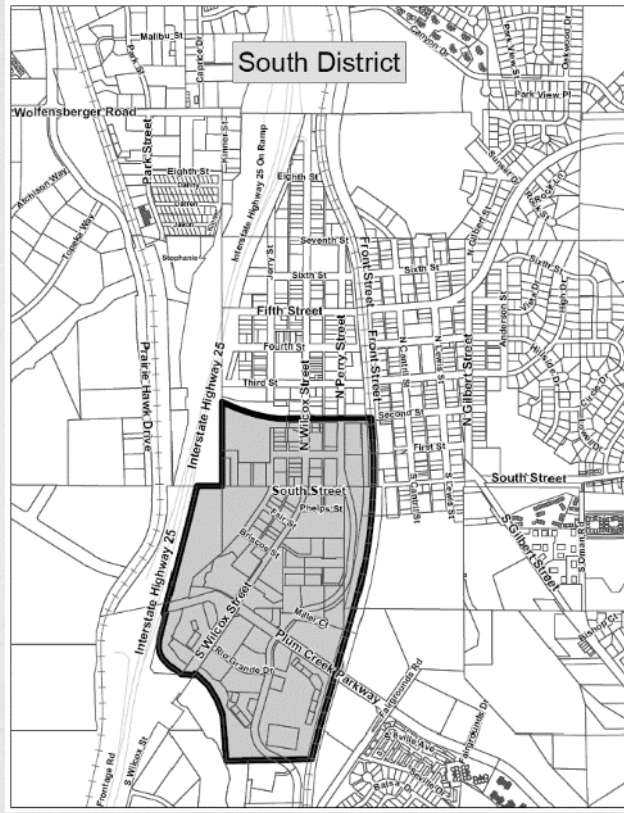
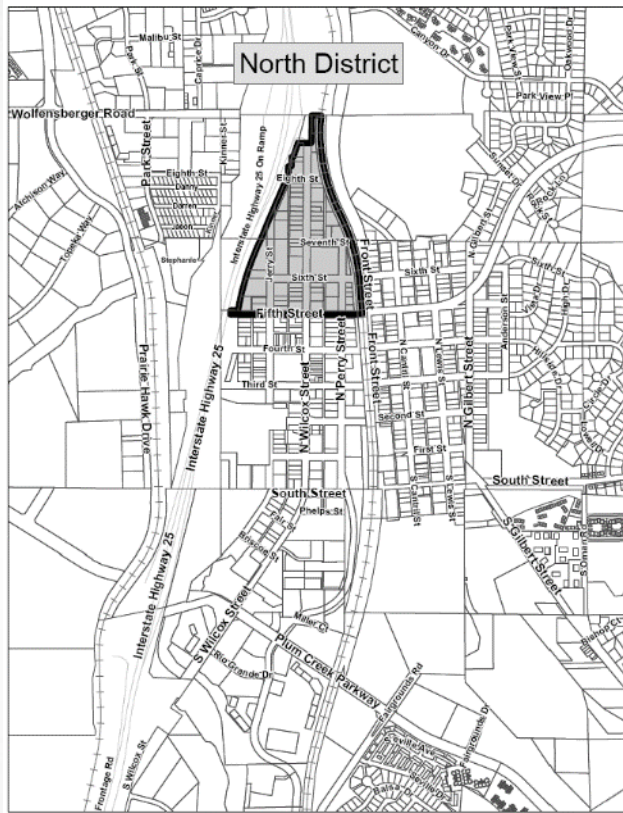
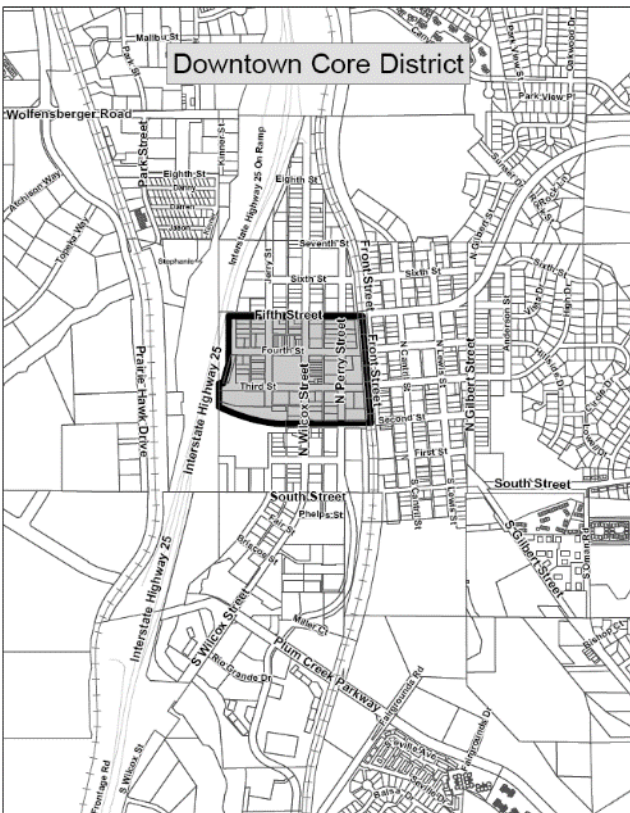
The Design Review Board has authority to:

- Review all Site Development Plan applications within the DOD boundary in a public hearing setting. Project design review is based on the Council adopted Vision and Comprehensive Master Plan, Council adopted Castle Rock Design program, and the Council adopted Downtown Master Plan.
- Approve, approve with conditions, or deny an application based on the Council adopted plans and code standards. If a Site Development Plan is denied by the DRB, the applicant may appeal that decision to the Town Council within 30 days of the DRB action.
- Grant variances to lot width, setbacks for front yard, side yard, and rear yard, landscape standards, DOD design standards, fence height, outdoor display of merchandise, and accessory structures and uses.

DESIGN REVIEW BOARD AUTHORITY

The Design Review Board has authority to review building heights depending upon where the building is located.

- **Downtown Core District.** Building height is limited to four stories, with a maximum height of 60 feet. A landowner may request one additional floor, with the corresponding increase in building height. The Board, at its discretion, may grant an additional floor after considering the following criteria:
 - Whether the project will incorporate design elements found in adjacent Landmark structures; and
 - The impacts of the increased building height on adjacent properties.
- **North and South Districts.** Building height is limited to six stories, with no maximum height limitation. The Board, at its discretion, may grant two additional floors in the North and South Districts.



DOWNTOWN PROJECTS GREATER THAN 10,000 SQ. FT.

- 695 Jerry Street mixed use retail and office building at 24,120 sq. ft.
- Acme Water Tower mixed use buildings at 11,937 sq. ft.
- The Move office building at 72,800 sq. ft.
- Mirage Dental mixed use medical office building at 18,477 sq. ft.
- Riverwalk north and south retail, office and residential buildings at 264,508 sq. ft.
- 505 Jerry Street apartment building at 18,163 sq. ft. ***this project was not constructed***
- Encore retail, office, residential and parking garage at 465,500 sq. ft.

QUESTIONS FOR COUNCIL

Does Council want to review and discuss changes to the DRB makeup?

In 2010 Council found that a Board made up of individuals with a background in site and building design, engineering, land development, and real estate or business would be appropriate to review and act on downtown applications versus Council. In addition, Council found that a Board with the authority to review and act on downtown applications would aid with expediency of review and action to further encourage investment and reinvestment downtown.

QUESTIONS FOR COUNCIL

Does Council want to review and discuss changes to DRB authority?

A previous Council granted authority to Town staff to review and act on all commercial site plans, not residential, outside downtown less than 10 acres and / or less than 100,000 sq. ft. in size. That decision was made based upon several factors including, but not limited to, feedback from property owners and the development community about the uncertainty of time needed to publicly review smaller land use applications and the technical expertise associated with review of land use applications.

QUESTIONS FOR COUNCIL

Does Council want to review and discuss changes to the design guidelines and DOD code standards?

The design guidelines adopted by Council have been in place for approximately 12 years and the DOD has been in place for approximately 10 years. Those documents established a baseline for discussions between land use applicants, Town staff, the DRB, and the DDA. Several major projects received DRB approval under the existing guidelines and code standards.

The decision to use design guidelines instead of design regulations was a community decision to ensure flexibility and to avoid design repetitiveness in a downtown historically constructed with eclectic architecture.



Summary and Next Steps