

# *Legacy Association*

## **Development Guidelines • Article III - Design Review Board**

### **3.4 PROCEDURES**

c. At a minimum, two submissions to the DRB are required as follows:

(1) The first submission must be early in the design process, preferably at the concept or initial schematic design phase. This submission should include:

- (a) site plan showing all known building locations and footprint sizes, parking, adjacent roads and utilities, setbacks, curb cuts, access, proposed utility connections, major signage, building entrances, service areas, ground-mounted utilities, storm water/drainage and other major site-related features;
- (b) building elevations showing general appearance of the building with description or samples of façade materials and colors; and
- (c) critical site-related data such as site coverage, percent landscaping, permeable surface area, building height and building square footage.

(2) The final submission must include final plans and specifications, such as completed construction documents, which encompass at a minimum the following;

- (a) site plan showing improvement location; required setbacks; easements; existing and proposed utilities; utility connections; ground-mounted budding equipment; fire lanes; ingress/egress; parking; sign sizes, colors, materials and locations; pedestrian walkways; trash storage areas; service areas; screening; sculptures; heliports; storm water controls; topography; paved areas; fences and other site-related features. Any allowable above-ground utilities, such as a switchgear, must be shown, including how they will be screened from public view.
- (b) building plans and specifications that show floor sizes, exterior elevations, service areas, exterior finish materials, access, exterior lighting and screening.
- (c) landscape plans showing berming; location, type and size of landscaping; hardscape (street furniture, etc.); exterior lighting; and irrigated areas, including location of field control units and connection to water source.
- (d) cut sheets or samples of exterior materials showing color, texture and shape.
- (e) certification by the Owner's architect that the design of the improvement complies with the Association Declaration, the relevant CCRs and these Development Guidelines. If any proposed Site Improvement is not in compliance, the Owner's architect, in such certification, shall specify and explain such noncompliance.
- (f) other information requested by the DRB, such as land area, building square footage, permeable surface area, site population and other data reasonably required by the DRB.

- (3) All submissions shall be in duplicate. One set marked with DRB comments shall be returned to the Owner and the other shall be retained by the DRB.
- (4) Procedures may be modified by the DRB to accommodate fast track construction. At an Owner's request, the DRB may approve plans for certain phases of construction of Site Improvements before the Owner is ready to submit full plans for all phases of the construction of such Site Improvements. In the event such occurs, the Owner shall be solely responsible not only to see that plans for subsequent phases comply with these Development Guidelines, the relevant CCRs and the Association Declaration, but also for any modifications to completed phases of construction that may be required to obtain DRB approval for plans for subsequent phases. It is the Owner's responsibility to ensure that any changes made on a document after the document has been approved by the DRB are submitted to the DRB. The DRB shall still base final approval of the Site Improvement on completed construction documents and associated information.
- (5) Within 30 days of receipt of all required information, the DRB shall provide approval or disapproval of the submission. Generally, this shall be in the format of a meeting between the DRB and the Owner and its design staff and then confirmed in writing.
- (6) It is emphasized that it is the Owner's responsibility to notify the DRB of any variances between the Owner's design and the relevant CCRs or these Development Guidelines.
- (7) Approval of the plans and specifications shall be based upon a determination by the DRB, by a majority vote, as to whether in its judgment such plans and specifications adequately meet objectives established for Legacy with regard to aesthetic quality as well as meeting other requirements created by the Association Declaration, the relevant CCRs and these Development Guidelines.
- (8) Should the DRB fail either to approve or disapprove the plans and specifications submitted by the Owner within 30 days after submittal, it shall be conclusively presumed that the DRB has approved such submitted plans and specifications. If any plans or specifications are submitted in a form which is not sufficiently complete or are otherwise determined inadequate, the DRB may return such plans or specifications for resubmission or may review portions thereof and return the balance. Delays caused by the need for additional information or modification to the submitted documents shall extend the 30-day review period from the time of receipt of the additional information.
- (9) Plans and specifications shall be submitted to the DRB prior to submission to any governmental authorities.
- (10) All changes to construction documents subsequent to DRB approval that affect the exterior appearance or use of the Site Improvements must be submitted to the DRB for approval.

(11) No oral approval shall be considered as an official action of the DRB.

(12) The DRB may (but is not required to) periodically inspect the construction of Site Improvements to ensure compliance with the Association Declaration, the relevant CCRs and these Development Guidelines. Such inspections do not relieve the Owner of complying with the approved plans and specifications.