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5. DESIGN REVIEW AND APPROVAL PROCEDURES

As stated in the Redevelopment Contract the Developer is Bloomington Central Station, LLC. The Developer, as part of the conditions of approval, is required to maintain and manage the design guidelines and the process outlined below.

Plans and specifications for all new construction, landscaping and/or exterior art within the Bloomington Central Station must be submitted to and approved in writing by the Bloomington Central Station Design Review Committee (BCSDRC) prior to the start of construction, as well as to the City of Bloomington for all required public approvals and permits. In addition, any remodeling, relandscaping or other modifications to the existing development must be approved by the BCSDRC prior to the start of construction. The BCSDRC is the final deciding body for design and construction approvals for projects proposed with BCS. The BCSDRC will be made up of representatives of McGough Development, URS (civil and site engineers), Pickard Chilton (BCS master architect), EDAW (BCS master planner) and one non-voting representative from the city of Bloomington Planning Department and one from the Department of Public Works.

The responsibilities of the BCSDRC include:

1. To insure compliance with the design guidelines and intent for the protection of the tenants and for the protection of property values.
2. To establish fees for the review process.
3. To assure that the properties are properly maintained.

4. To monitor violations of the design guidelines and take appropriate action to assure compliance.
5. To contact applicants whose plans and specifications have been disapproved and to provide reasonable assistance and recommendations for adjustments to bring applications into compliance with the design guidelines. These responsibilities do not waive the applicant from also seeking and receiving all required public approvals and permits and paying all public fees, from the City of Bloomington.

The BCSDRC is not responsible for:

1. The structural adequacy or capacity of the proposed improvements.
 2. Compliance with any or all building codes, safety requirements, governmental laws, regulations or ordinances.
 3. Performance or quality of work of any contractor or participating builder.
- 6 copies of plans and specifications must be submitted to the BCSDRC. One copy will be returned and stamped with approval, disapproval or conditional approval.

Procedures

1. Pre-application process:

Before submitting the application, the applicant shall schedule an appointment and meet with the BCSDRC to discuss the application and the procedure for approval and the applicable guidelines and requirements.

2. Preliminary design submission:

The BCSDRC will review the application within (30) days after receiving all the required documents. The BCSDRC may condition its

DRAFT

approval of preliminary and final applications, proposals, plans and specifications or other information prior to approving or disapproving material submitted.

3. Final Review:

After receiving and reviewing all submitted information, the BCSDRC will prepare a written response to the applicant. The BCSDRC may condition its approval subject to requesting additional information or modifying submitted design.

Required documents for final submittal will include:

- Site plans (with surfacing and site lighting)
- Grading and drainage plans (with storm water calculations)
- FAR and area calculations
- Landscape plans (with species and sizes)
- Building floor plans, elevations, sections and typical exterior details and wall sections
- Exterior building lighting
- Exterior building material samples
- Exterior signage plan
- Building systems narratives

Exceptions to Guidelines

The BCSDRC may grant, in its sole discretion, exceptions to the design guidelines pursuant to the following process and criteria:

1. An applicant may file for a variance request by preparing written documentation describing the specific variance(s) and necessity of the variance along with the appropriate documents.
2. Within (45) days of receiving the variance request, the BCSDRC will advise the applicant in writing of its decision.

After receiving approval from the BCSDRC the applicant is required to obtain all necessary federal, state and local governmental permits required for the proposed development.