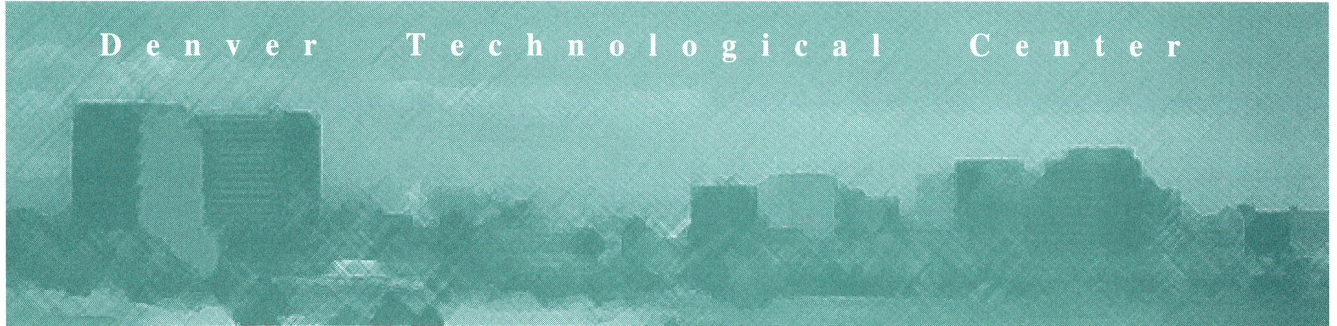


Architectural Control Committee



Design Criteria and Submittal Procedures





Overview
Denver Technological Center
Protective Covenants and Architectural Control Committee

Statement of Purpose

The Denver Technological Center has often been described as the finest business park in North America. The aesthetic and fiscal value of the properties has outpaced other area submarkets including the central business district in Denver for many years. This quality is maintained through the implementation of protective covenants, which include strict architectural controls. These covenants establish a high set of standards for planning and design, which are fair to all parties, while maintaining exceptional value for each property within the Denver Technological Center.

Protective Covenants

The Protective Covenants of Denver Technological Center legally apply to all land that is part of DTC, regardless of ownership and are independent of the zoning and land use regulations of local governments.

Applicable Documents

The system of land use control created by the Covenants includes not only the Covenants, but also a **Master Plan, Review Procedures, and Design Criteria**. These documents are available through the Architectural Control Committee offices.

Architectural Control Committee

The Covenants and supporting documents are administered and enforced by an Architectural Control Committee (“ACC”). A current listing of members can be found on the reverse side of this synopsis.

Activities Necessitating Review

Under the Covenants, any proposals to construct, modify or demolish improvements within DTC must obtain plan approval from the ACC prior to commencement. The ACC’s review and approval process also applies to signage, changes in property use, and maintenance activities that take place on or with respect to property that is part of DTC. The ACC meets on a regular basis to review plan submittals. After the ACC approves a plan submittal, an applicant may proceed with a project, but only in strict compliance with the terms and conditions of approval. The ACC performs periodic site inspections, both during development and on an ongoing basis thereafter to ensure compliance.

Meeting Schedule and Location

The ACC meets monthly at the DTC Executive Offices. Projects are placed on the meeting agenda after applications are made at Staff level meetings at least two weeks prior to a meeting.

Committee Membership

The Architectural Control Committee is made up of six (6) regular members and one (1) associate member. Of these six (6), at least two (2) members must be architects and one (1) member must be currently engaged in land planning practice. All other members must have a minimum of ten (10) years of experience in land planning or development. Membership is as follows:

Mr. Lee Dehmlow, Chairman

Mr. Dehmlow is a Development Manager with Shea Properties. He has 35 years of experience in the building industry, spanning commercial, institutional and residential sectors, including both project and management roles in construction, architecture, and project development.

Mr. Michael Barber, Architect

Mr. Barber is a practicing architect with 35 years of experience. He is the Director of Design at Barber Architecture and has been responsible for the design of numerous public and private projects for regional and national clients. He is the recipient of awards for architecture and planning and has won ten major design competitions. Mr. Barber is a member of other design review committees, including membership in the Federal Design Excellence program.

Mr. John Kilrow

Mr. Kilrow is a Senior Vice President with Shea Properties with over 25 years experience in commercial development. His background includes extensive involvement in architectural design reviews and covenant administration primarily associated with Shea's various commercial and residential communities.

Mr. Phil McCurdy, AIA

Mr. McCurdy is the Principal of the Architecture Group at the Denver office of Gensler, an international architecture and planning firm. In more than 30 years of practice he has had the opportunity to lead projects both locally and nationally. He serves on Gensler's national Practice Area for Buildings and Campuses and on the City of Denver's Design Review Board for the Cherry Creek North mixed-use district.

Mr. Eric Hecox

Mr. Hecox is a Vice President with Shea Properties Colorado. He serves as the General Manager for multiple special districts including the Denver Tech Center and the Meridian International Business Center. He is also President of the Colorado Foundation for Water Education as was previously the Executive Director of South Metro Water Supply Authority.

Staff

Ms. Galina Butylev
Ms. Sarah Master
John F. Forhan, Esquire

Community Services Manager
Client Services Project Coordinator
Legal Counsel

Architectural Control Committee
6380 S. Fiddlers Green Circle, Ste. 400
Greenwood Village, CO 80111

Phone: 303-773-1700; Fax: 303-740-6954

Email: noca@accdcc.org

Website: www.accdcc.org

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General Conditions

1. Development at DTC

The Denver Technological Center (DTC) is planned as a multi-use development with an integrated mixture of complementary uses located within superblocks. There are technical and aesthetic considerations in the review of proposed projects for the DTC. Of primary concern is the development of an ambiance in which all project design elements are harmonious with the natural environment of the site, compatible with each other, and responsive to the intent of the Master Plan for DTC, an environment in which people can work, live, shop, recreate and socialize.

By providing guidelines and design review, the ACC encourages development which will be of enduring value while preserving the area's beauty and contributing to the overall quality of life for the people who work or live in DTC. Design within the DTC should be approached in a "community" spirit. Regard for the interests of all developments within the DTC will result in a positive synergistic benefit for each. Value received will be enhanced by attention to quality and compliance with overall development plans. It is the responsibility of the Architectural Control Committee (ACC) to ensure that all projects and buildings adhere to the overall concept.

The ACC recognizes the potential for property owners to attain LEED or other recognized environmental certifications for either new or existing buildings and will work cooperatively with applicants in an effort to develop design solutions within reasonable parameters of these Design Criteria.

Pursuant to Section 6.07 of the Protective Covenants of the Denver Technological Center, the Architectural Control Committee has approved Master Plan elements and adopted both Design Criteria and Review Procedures. These are intended to assure the implementation of the philosophy of development at DTC which is reflected in the Covenants and Design Criteria.

These criteria will assist developers in meeting the goals of the ACC for development in DTC. Used in concert with basic principles of good design, applicable jurisdictional regulations, ACC Procedures and the ACC Master Plan for DTC and staff assistance, these Criteria are intended to expedite the approval process and facilitate the development of quality projects within DTC.

It must be emphasized that the ACC Review Process is both qualitative and quantitative. Attainment of a minimum quantitative standard does not in and of itself infer approval unless an acceptable level of quality is achieved. Each project will be reviewed on the basis of its planning and design merits and conformity to the intent of both these Criteria and all other applicable authorities, including the ACC Master Plan for DTC. The ACC does not represent or warrant that its approval of any project complies with any applicable contractual or governmental land use restrictions.

2. DTC Architectural Control Committee

Purpose. The ACC is responsible for reviewing plans for all development, including construction of any type, landscaping, lighting, signage and all other exterior improvements. All plans are reviewed to determine their compliance with the Covenants, Master Plan, and Design Criteria. This ensures harmony and compatibility throughout the development.

Recorded Documents. The Covenants and Master Plan are recorded in the real property records of the City and County of Denver and Arapahoe County, Colorado. All developers and property owners should refer to the recorded documents for the complete text of the Covenants. The Covenants are the basis of the authority for these procedures and are legally binding. Copies are available from the ACC staff.

3. ACC Review/Submittal Procedures

General. The following information is for the use of property owners, developers, architects and contractors as a reference guide during the building design or modification process. The ACC provides general guidelines and recommends specific solutions harmonious with the overall ACC Master Plan.

The submittal of plans and securing of the appropriate approvals pertains to signage, landscaping, exterior building improvements, satellite dishes, antennas, construction yards, trash enclosures, fencing, lighting, driveways, parking areas and any improvements that affect the appearance, design or outside elements of property (a complete definition of "improvements" is in Section 2.09 of the Covenants).

Meetings. The ACC generally meets monthly. There are specific procedures involving the submittal of documents, review requirements, deadlines and fee schedules which all applicants must follow. Formal presentations to the ACC are mandatory for most development projects, as are preliminary meetings with the ACC staff. This process is designed to assist with the preparation and approval of the plans for any specific site where development is contemplated. Certain minor improvements do not require all review phases: the ACC staff determines which steps are necessary for an individual project.

For most projects, there are seven phases in the development approval process. These include the following:

1. Pre-Design Conference
2. Sketch Plan/Property Use/Building Site
3. Schematic Design
4. Design Development
5. Construction Documents/Building Permit
6. Construction Site Logistics
7. Certificate of Compliance

Sketch Plan, Schematic Design and Design Development (each including landscaping, signage and lighting) phases require a formal presentation to the ACC. All other steps are handled directly with ACC staff. Each formal presentation must be preceded by a review with ACC staff.

Meeting Minutes: Committee Findings relative to applications are documented via a "Notice of Committee Action" form (See also Section 10-3) which also serves as "Minutes" relative to applications considered at formal Committee meetings.

Submittals. All submittal documentation must be submitted to the ACC by no later than noon (12 p.m.) ten (10) days prior to a scheduled ACC meeting in order for the project to be placed on the monthly agenda.

Approvals. Project Approval is contingent upon submittal of materials, presentation to the ACC and payment of designated fees. No improvements may be made without the prior written approval of the ACC.

A Notice from the ACC will be sent to each applicant within a maximum of thirty (30) calendar days after the date of the ACC action on the proposal. This Notice will state whether approval or disapproval has been granted and outline any conditions associated with the approval or disapproval. While Notices may reference plan documents submitted for ACC review, it is not incumbent on the ACC to identify any variances to Design

Criteria during the review process. It is the Applicant's obligation to identify in writing any desired variance to ACC Design Criteria.

4. Review Fees

Review fees are required for all ACC submittals. A current Schedule of Fees is included in the Submittal Procedures section (Form 1). This fee schedule may be revised from time to time by the ACC as conditions necessitate. Fees are required at time of submittal; a Notice of Committee Action will not be issued until all fees paid. If the ACC requires that the applicant attend additional meetings with an ACC member or consultants due to incomplete, inadequate or improper submittals, then the applicant shall be responsible for paying the full costs of such services. **No submittals will be processed until all appropriate fees have been paid.**

5. Non-Compliance/Fines

A Schedule of Fines is in effect in the event of Non-Compliance. Property owners are advised that any overdue fines will be required to be paid as a condition of processing any new applications for review or prior to responding to any requests for Certificates of Compliance. Refer to Fine Schedule, included in the Submittal Procedures section (Form 1, "Penalties").

6. Definitions

ACC. ACC shall mean the Architectural Control Committee created pursuant to section 3.01 of the Protective Covenants.

ACC Floor Area. The Floor Area for ACC calculations shall mean the sum of the gross horizontal areas of all floors within the exterior walls of a building, including interior balconies and mezzanines, but excluding exterior balconies. All horizontal dimensions of each floor are to be measured to the interior finished faces of the exterior walls of each such floor. In computing ACC Floor Area, the following shall be excluded:

(Note: This definition may vary from governmental zoning definitions.)

1. Any floor area devoted to mechanical, electrical or communication equipment, or uses as may be required for the operation of the building, including elevators, serving the building or devoted to stairwells;
2. Any floor area in a story the ceiling whereof is less than four feet above grade at any point unless said floor area is devoted to office, commercial, or service uses;
3. Any floor area used exclusively as parking and/or circulation space for motor vehicles; and
4. Any floor area that serves as interior common area open space, such as an atrium or lobby (except that the first floor of any atrium or lobby shall constitute ACC Floor area).

ACC Staff. ACC Staff shall mean those persons who are acting on behalf of the ACC with respect to certain duties and obligations assigned to them by the ACC.

Building Coverage. Building Coverage shall mean the actual "footprint" of all buildings on the site at grade or plaza level. Building areas covered by plazas, pedestrian malls, and/or landscaping shall constitute Open Space and not Building Coverage. Similarly, building area situated over plazas, pedestrian malls, or landscaping shall constitute Building Coverage and not Open Space.

Building Site. Any parcel of land that is part of the Denver Technological Center the size, dimensions, and boundaries of which are approved by the ACC.

Contract Floor Area. Contract Floor Area shall mean the definition of gross floor area set forth in any contract or covenants between the Applicant and any other entity that relates to a limitation on the amount of development that can occur on the Applicant's site.

DTC. DTC shall mean the Denver Technological Center as defined in the Protective Covenants.

Improvement. Shall mean and include every structure and all appurtenances thereto of every kind and type and any other physical change upon, over, across, above or under DTC or upon existing improvements located in or on DTC. This definition shall include, but shall not be limited to, the following facilities and activities, whether of a permanent or temporary nature: buildings, outbuildings, parking structures and garages, parking lots and other parking areas, streets, roads, traffic control devices and signs, driveways, bikeways, access roads, loading areas, signs, canopies, awnings, trellises, fences, lawns, landscaping (including landscaping of balconies, plazas, and other portions of buildings), plazas, patios, recreational facilities such as tennis courts and swimming pools, walkways, pedestrian malls, sidewalks, shelters, security and safety devices and bridges, construction trailers and other temporary construction outbuildings, screening walls, retaining walls, stairs, decks, benches and other exterior furniture, hedges, windbreaks, plantings, planted trees and shrubs, poles, exterior air conditioning, water softener fixtures of equipment, aerials, antennas, lighting fixtures, drainage structures, communications equipment including but not limited to microwave dishes and relay equipment, coaxial and fiber optic cables, satellite transmitting and/or receiving ground stations, poles, pumps, wells, tanks, reservoirs, pipes, lines, meters, towers, and other facilities used in connection with water, sewer, gas, electric, telephone, regular or cable television, or other utilities, and color texture, material, or other changes to any Improvement. Improvements shall include, but not be limited to, Existing Improvements.

Master Plan. Master Plan shall mean the Master Plan promulgated by the ACC pursuant to Article 5 of the Protective Covenants. Master Plan documents for DTC may include drawings showing existing and future land uses, building uses and densities, streets, pedestrian and transit ways, open space, utilities, drainage, lighting and other aspects or characteristics of land development; design standards specifying the desired criteria for building design, signage, landscaping and other improvements; and policies describing desired uses, density quality, location, mix, type, intensity, and where appropriate, timing of all development at DTC.

Non-Conforming Design. The ACC Design Criteria are, and have always been, dynamic in nature. Revisions are made from time to time to clarify design intent or to adapt to changing conditions. The intent is that such changes will always be to upgrade design intent and quality as market conditions permit.

Given the fact that the DTC was started over 35 years ago with developments progressing in phases over that period, existing conditions can be found that do not fully comply with the latest adopted Design Criteria. Such situations do not justify a basis for new development or redevelopment variance requests from current applicable criteria. Similarly existing developments do not necessarily have a "vested" right to reconstruct or reinstall previously approved but currently non-conforming items.

Open Space. All gross land area not covered by building, public streets, private drives or surface parking lots. Open space shall include, but not be limited to, gross land area in use for pedestrian way, courtyards, landscaped areas, whether public or private, pedestrian malls and parks. Additionally, open space shall include

courtyards, plazas, and landscaped areas located on top of any building or any parking structure as long as such courtyards, plazas and landscaped areas are within two (2) stories of grade.

Parking Coverage. Parking Coverage shall mean the site area used for exposed parking, including parking structures, on-grade parking lots, and drives serving the parking, as well as service drives and drop-off areas. Structured parking covered by building areas shall constitute Building Coverage and not Parking Coverage. Structured parking covered by publicly accessible plazas, pedestrian malls, or landscaping within two (2) stories of grade or ground level may constitute Open Space and not Parking Coverage.

Property Use. The intended functions of, or activities that take place on a temporary or ongoing basis on, in, or with respect to any parcel or element of real property that is part of DTC.

Protective Covenants. Protective Covenants shall mean the Protective Covenants of the Denver Technological Center recorded on March 15, 1982, in Book 3592 at Page 324 of the real property records of the County of Arapahoe, State of Colorado, and recorded on March 15, 1982 in Book 2550 at page 82 of the real property records of the City and County of Denver, State of Colorado, which document amended and restated in their entirety certain earlier versions of Protective Covenants applicable to part or all of DTC. For DTC West the Protective Covenants shall mean the Declaration of Protective Covenants of Regency West Denver Tech Center recorded June 5, 1986 under reception number 077722 in the real property records of the City and County of Denver, State of Colorado as supplemented and /or amended.

Design Criteria

The following criteria are utilized by the ACC as the means of determining the suitability and acceptability of all proposed Improvements, and constitute the basic design criteria and standards for the Master Plan.

1. Site Planning

A. Use, Zoning, and Density

Applicants must demonstrate that a proposed use (1) is consistent with and authorized by any applicable zoning and other governmental land use statutes, ordinances, regulations, rules and other authority (collectively, “Governmental Authority”); (2) is consistent with and authorized by the Master Plan and the Protective Covenants; (3) reinforces existing and projected uses adjacent to the site and throughout DTC; (4) provides a harmonious development for DTC; (5) promotes the general welfare of all landowners and tenants in DTC; and (6) protects and enhances the present and future value of all property in DTC.

The ACC has determined that certain uses are inappropriate within DTC and will not be permitted under any circumstances because they do not and cannot meet all six (6) of the criteria set forth in the first paragraph above. These uses include (a) outside storage or loading or unloading of materials for sale, lease or rental (such as automobile, boat, recreational vehicle or trailer lots); (b) drive through food or beverage sales establishments; (c) establishments selling adult materials or providing adult amusement or entertainment, such as bars and theaters displaying nudity; and (d) the sale and/or dispensing of medical marijuana, in any form; (e) the sale of drug paraphernalia; and (f) any use that emits sounds, odors, light, glare, or vibrations that create a disturbance, or are offensive or obnoxious, to other properties. The foregoing list of inappropriate uses is not exclusive or comprehensive; any other use that the ACC determines does not meet all six (6) of the criteria set forth in the first paragraph above also shall be deemed to be inappropriate and shall not be permitted within DTC.

The density of any use also must meet all six (6) of the criteria set forth in the first paragraph above.

In the event that applicable Governmental Authority allows uses or densities that are not permitted under the Protective Covenants, the Master Plan or these Design Criteria (collectively, the “Covenant Documents”), the Covenant Documents shall control and govern and the uses or densities shall not be permitted. Approval of a proposed use by a governmental entity does not constitute approval of that use by the ACC.

Any subdivision of land requires ACC approval prior to submission to the applicable governmental jurisdiction.

B. Integrated Planning

Emphasis on each project as a component of a totally integrated development is encouraged. Building design expressions in terms of massing, scale, color, and circulation must relate to adjacent buildings and to the total development. Orientation of improvements must acknowledge basic site considerations, adjoining building uses and siting, and overall circulation patterns.

General Development Plan. For projects involving multiple buildings to be developed in phases over time, applicants must submit a General Development Plan (GDP). At a minimum, the GDP must include all information required for a Sketch Plan submittal and must set forth anticipated development phasing. Applicants have the option of taking a GDP through the Schematic Design and/or Design Development phases if they desire to obtain this extent of ACC approvals.

C. Orientation

Building orientation is an important aspect of reinforcing the image of the street system. Site planning must address issues of orientation of the primary facade and building entrances so that a building does not “turn its back” on a street. A 360 degree view angle to each site is to be evaluated and building and parking orientation must be sensitive to adjacent sites as well as street views.

The impact of snow, ice, and severe winter weather conditions on pedestrian and vehicular access make this an important design element. Main building entries and attendant pedestrian walks should be oriented away from north "shaded" areas. Similarly, the fact that this area experiences 300 days of sunlight each year combined with rapidly fluctuating weather extremes necessitates careful analysis of the advisability of extensive glass, particularly in atriums. Shadow studies may be required to determine that any shadows cast do not have adverse impacts, particularly on public roads.

D. Site Coverages

Allowable site area coverages are as follows:

Open Space	minimum of 30%
Parking	maximum of 40%
Buildings	maximum of 40%

In some cases, and at the sole discretion of the ACC, and for cause, the allowable parking maximum may be exceeded when offsetting mitigation in the quality or quantity of open space and landscaping is provided.

Open Space for developed sites is to be predominately irrigated turf or plant area. The intent is that open space is identifiable and functional. Isolated areas of less than 300 square feet or 5 feet in width are not qualified for inclusion toward the open space minimum area calculation.

E. Setbacks

Minimum setbacks are as follows:	Building	Parking*	Signage	Utility Cabinets
Front or Streetside (from street curb face)	40'	40'	20'	25'
Side-Rear (internal from property line)	15'	10'	20'	n/a
Special Areas				
I-25 (from property line)	50'	50'	n/a	n/a
West Boundary of DTC West (from property line)	100'	35'	n/a	n/a
Monaco (from street curb face)	50'	25'	30'	50'
Bellevue West of I-25 (from street curb face)	100'	100'	30'	50'

* Parking structures use building setbacks

F. Pedestrian Access/Circulation

Sidewalks (see applicable standard) are required along all perimeter streets. Detached sidewalks are required adjacent to streets and must have a minimum width of eight (8) feet, and be set back a minimum of eight (8) feet from the curb line. Where a site abuts a common area such as a drainageway or park, additional walks may be required. At least one sidewalk connection between the building and the perimeter street is required. Large parking areas or structure areas must have sidewalk connections to the building entries or ground plaza areas.

Site and building design must accommodate pedestrian circulation on site from parking areas to adjoining streets and buildings. Pedestrian and automobile circulation must be physically separated. All entry driveways must have an adjacent sidewalk, with a minimum width of five (5) feet. Attached sidewalks are required along at least one side of all internal streets or main drives and must have a minimum width of five (5) feet. Sidewalks are to bridge drainage swales to prevent conflict with concentrated drainage flows. They may not be used to channel surface drainage. Sidewalks and plazas must provide for handicap access and must be constructed of concrete or other approved materials of sufficient strength to support light maintenance vehicles.

Refer also to the Accessibility Component of Master Plan (Exhibit 3C).

G. Topography

Site Plans should attempt to conform to existing topography and blend with adjoining site and perimeter roadways. Blanket grading of sites to conform to preconceived building concepts is strongly discouraged.

H. Grading Criteria

Overall site grading will largely determine the degree to which a new development visually "fits" into the surrounding landscape. Changes to existing topography should be minimized on all development sites. Where grading does occur, it should be done in a manner that respects the gently rolling topography of the existing landscape. Special attention should be given to providing smooth grading transitions between neighboring development sites. The grading of each site must meet existing grades within the Development Area and graded slopes shall not exceed 3:1 and 4:1 in turf and lawn areas. Concentrated drainage across walkways and other pedestrian areas is not permitted. Drainage across driveway entries is to be avoided.

I. Drainage

All site and building drainage shall include storm water controls and/or systems that are in accordance with the Master Plan and all applicable governmental or quasi-governmental statutes, rules, regulations and other authority. Each development is required to provide adequate drainage facilities including such elements as detention, water quality, and soil erosion mitigation.

At the time of a parcel's development, all defined drainageways must either be piped or, if remaining as surface flow, be integrated into the overall site landscaping in an aesthetically acceptable manner. Off-site runoff must be directed or conveyed to an established principal drainageway.

Some areas may be served by common detention facilities and on-site detention will not be necessary. However, site detention may still be required if downstream conveyance facilities between the parcel and the detention facility are insufficient to accommodate development runoff.

The Architectural Control Committee reserves the right to evaluate water quality implications attendant to parcel development and off-site runoff and require mitigation where appropriate.

Refer also to the Drainage Component of Master Plan (Exhibit 3B).

J. Utilities

DTC has a well conceived and developed utility infrastructure. All developments must be designed to interface with these systems. Utility layouts and connection points are part of the design review process.

No overhead wiring is permitted. No transformer, electric, gas, or other meter of any type or other apparatus shall be located on any power pole or attached to the outside of any building, except where specifically approved by the ACC. Such equipment shall be placed on or below the surface of the land, and where placed on the surface shall be adequately screened and fenced.

All ground mounted utility meters, transformers, and pedestals must be setback a minimum of 25 feet from the adjoining street, and screened to minimize their visibility.

K. Services

Preferably, any service, loading, emergency generator and trash areas should be enclosed within buildings. External facilities must be enclosed and designed and constructed of the same design theme and material as the adjoining building, as well as screened with landscaping to minimize adverse views from adjoining streets or buildings. Such facilities may not be placed adjacent to or face streets.

Loading. Truck loading and receiving areas must be screened from view by architectural or landscape features. Such areas will not be permitted in the front of a building.

Waste Storage. Temporary waste and rubbish storage facilities may be allowed with the prior written approval of both the design and location thereof, provided that such facilities are screened from view and from wind by architectural or landscape features. All waste and rubbish containers must be covered and out of sight from public streets, bikeways, pedestrian pathways, and transit corridors at all times.

Materials Storage. No materials, supplies, equipment, service vehicles, finished or semi-finished products, raw materials, or articles of similar nature may be stored or permitted to remain outside of buildings or be visible from adjacent properties or streets. Properly screened temporary trash dumpsters and construction materials will only be permitted for a defined period of time with prior review and approval. Outside material display areas for retail uses may be allowed with prior approval.

Snow Storage. Provision must be made for snow storage on site. Pushing snow into street, sidewalk, landscape area or median areas is not permitted. All site owners are responsible for timely snow removal on their perimeter street sidewalks.

L. Vehicular Access/Circulation

A fundamental development objective for all sites is the safe and efficient movement of vehicles and pedestrians. Vehicular access to any site must be carefully designed in relationship to vertical and horizontal curves, site distances, median cuts, other driveways, and other common traffic engineering criteria so that usage traffic conditions are minimized and the efficient, smooth flow of traffic is encouraged. Commonly accepted traffic engineering criteria must be met, and curb and median cuts are to be minimized by means such as shared access drives and entryways. Sites should be designed to minimize conflicts between automobiles and pedestrians and to create a clearly organized system of entrances, driveways and parking lots, while still providing convenient parking spaces. These requirements should be balanced against the need to minimize paved areas and curb cuts as well as to reduce their overall visual impact.

Vehicular entrances should be limited in number and planned to ensure an easily understood sequence of arrival, parking, and entrance to buildings. Visual screening must be provided for parking areas which can be viewed from adjacent development sites or from public spaces such as streets, plazas, and walkways. (See Exhibit 2)

Site Access. A traffic management program is in place for DTC and the surrounding region in order to optimize the use of the existing and planned roadway system. Access for each site must be determined in concert with overall traffic circulation and capacity needs and requirements.

Median access points have been established throughout and are not subject to modification. Site access must be designed to focus major movements on these points when available. Where possible shared access between adjoining sites will be encouraged to maximize use of median breaks.

Building Address System. The vehicular circulation system at DTC provides a framework for assigning building addresses which enhances the sense of orientation to visitors. Specific addresses are assigned by Governmental jurisdictions utilizing the postal street grid system for the area, and should reflect the primary access street for the site. (See signage criteria for permitted address signage).

Service and Emergency Access. A comprehensive and coordinated approach should be taken to service and emergency access requirements. These include requirements by fire and police departments, ambulances, moving vans, delivery trucks and trash trucks. Note that the ACC review does not supplant the review prerogatives of the local fire jurisdiction.

Bicycles. Both recreational and commuter bike accessibility is encouraged. Primary bike routes along designated streets may be either on-street or off-street dependent upon allowable conditions.

Public Transit. Sites may be evaluated for transit accommodation, and bus stop/shelter accommodation may be required.

Signalization. Where intensity of land uses attendant to a parcel development necessitate signalization and where streets connect to perimeter arterials, provision of such signalization must be addressed as a part of the ACC Review Process.

M. Parking

Parking provisions are to be adequate to support the proposed use and must meet applicable code requirements in the Denver Portions of DTC.

While the ACC does not have specific numerical requirements for parking spaces, parking lots and driveways must be designed for sufficient storage to avoid conflict with vehicular traffic in the street. No on-street parking (public or private) is allowed. All parking lots and driveways shall have a continuous concrete curb and gutter and must be paved.

A percentage of the parking spaces for office uses may be required to be designated as “commuter ride-share” preferential. These spaces must be located in close proximity to the building entry.

No parking shall be permitted on any street or access road, either public or private, or at any place other than the paved parking spaces provided. Each Owner shall be responsible for compliance with this requirement by its tenants, employees, and visitors. Owners or users of vehicles parked in violation of this provision will be subject to the sanctions provided by governmental ordinances, if any, that prohibit or restrict such parking, and regardless of the existence of any governmental sanctions, the vehicles so parked will be subject to fine and/or removal at the owner’s expense at the direction of the ACC or any of its representatives. Notwithstanding the foregoing, governmental or quasi-governmental or public utility vehicles in use for normal maintenance and operations activities may park on streets or roads during such activities in the event convenient off-street parking is not available.

Outside storage of recreational vehicles, such as motor homes, trailers, campers, and boats, is not permitted over a continuous period of more than twenty four (24) hours.

N. Landscaping

The quality and extent of site landscaping is an integral element of DTC’s overall identity. The extent to which landscaping meets the desired standard and unifies the building and site within the overall DTC area is considered a major review item for any ACC approval.

On Site Trees. A minimum of 30 trees/ acre comprised as follows: 50% deciduous shade trees; 25% ornamental trees; 25% coniferous trees.

Special Buffer Areas. Those portions of a site bordering I-25 and I-225 and within the west 100 feet of DTC West must have a minimum of 40 trees/ acre with the same mix ratios as above.

Monaco Parkway. A specific parkway plan has been prepared for the area within 50 feet of the roadway curb lines along Monaco and sites adjacent to this area adhere to that plan, which can be obtained from the ACC staff.

Street Trees. A formal street tree plan exists for DTC (excluding DTC West). Refer to Exhibit 4. These trees must be included along any parcel street frontages.

Flowers. A minimum of 500 square feet per identity sign of annual or perennial decorative flower beds readily visible to the public are required adjacent to the street frontage of each parcel, preferably in the vicinity of the identity signage.

Parking Screening. The periphery of all surface parking areas must be designed such that the major portions (heights) of automobiles are screened from street view.

Along street frontages, where screening is not accomplished by an architectural element, a 3 foot high minimum earth berm with a maximum 4:1 external slope, supplemented by shrub hedges and street trees is required. Refer to Exhibit 2.

Internal Parking Lot Planting. Surface parking areas must have internal landscaping equivalent in size to a minimum of 5% of the overall parking surface area as follows:

Parking bays must be separated by a landscaped island of at least 6 feet in width (running laterally with the aisle), or a landscaped island at least 6 feet in width at maximum intervals of every 15 contiguous parking spaces in a row.

For larger parking areas (i.e. those in excess of 100 contiguous parking spaces) internal landscaping may be aggregated to achieve more functional landscape screening areas at the discretion of the ACC.

Minimum Plant Sizes.

On-Site Deciduous Trees:	2-1/2" caliper (measured 4" above the ground)
Deciduous Street Trees:	3" caliper
Ornamental and Flowering Trees:	2" caliper measured 4" above the ground
Evergreen or Coniferous Trees:	Mix of 6-10 foot height
Shrubs:	5 gallon; maximum spacing of 36"; evergreens must have 24" spread
Vines:	1 gallon

Walls, Fences, and Screening. The materials and design of walls and fences must relate to the color, materials, scale, and style of the adjacent buildings and site improvements.

Wall alignment and heights must conform to the terracing parameter depicted in Exhibit 6.

Wood, chain link, or decorative interlocking masonry block walls or fencing is not permitted.

Site Furnishings, Plazas, Fountains, and Art. A wide variety of site furnishings may be utilized on any particular site. Design and selection of these furnishings should consider visual and operational compatibility for a particular site, as well as compatibility with elements already in place elsewhere within DTC.

The term "site furnishings" is intended to cover at least the following items: Shelters, gazebos, fences, walls, water features, flagpoles, benches, trash receptacles, telephones, bicycle racks, and security fencing. These types of amenities are encouraged as an integral part of landscaping designs and generally are to be compatible with the overall materials and colors of the building and site. Such amenities may be allowed to mitigate overages in the maximum allowable site parking coverages; particularly when visible and accessible to the public. Refer to Item D, Site Coverage, in this section.



Screening is required for all newspaper and postal boxes. Ornamental iron with a metal screen and a black finish is required.

Design. Landscaping plans must be prepared by a person experienced and qualified in landscaping design and be of sufficient detail and quality to enable the ACC to understand the plans to its satisfaction and to render a knowledgeable decision thereon. The ACC, in its sole discretion, will determine, in terms of detail and quality, the acceptability of such plans for said purposes.

Installation. Building sites must be landscaped in accordance with the plans submitted to and approved in writing by the ACC. All landscaping must be completed as soon as weather conditions permit and in any event before a final certificate of compliance will be issued. The approved plan for landscaping the site may not be altered without ACC written approval.

Landscape Maintenance. In order to assure all owners of a quality level of finish in DTC, regular maintenance of each site is required. Each owner shall regularly maintain all segments of their property, keeping them in a neat and orderly condition, including the replacement of dead and unhealthy plant materials.

Planting Bed Ground Cover: Native, non – decorative rock mulch is required when the aggregate area of site planting beds exceed 500 square feet to minimize negative impact from loss of color, water, and wind erosion.

O. Lighting

A primary consideration is to provide a safe, functional and aesthetically pleasing lighting system throughout DTC that reinforces its distinctive and high quality design.

Use of metal halide light sources for all exterior lighting in commercial areas is required to maintain overall nighttime visual consistency throughout the area.

All exterior lighting must utilize “cutoff” lens covers such that the light source (i.e. bulb) is not visible.

Computer analysis of lighting must be provided by the Applicant if requested by ACC. Input data must be Certified Independent Test Data. All illumination sources must be located within the property boundaries and be shielded from public view so that light is controlled within the area to be illuminated. Lamp selection should ensure that the source color is compatible with the building color and texture.

Parking lot lighting must provide a uniformity ratio between 15:1 and 20:1. At no point may the light level exceed eight (8) footcandles when measured at the ground or an average of two (2) footcandles overall.

Poles. The ratio of spacing to fixture height should be carefully considered for the type of lighting and building scale. The style of pole fixtures must be architecturally compatible with the building design. Poles and luminaries must be uniform in color, anodized or painted to be compatible with the building color scheme. Spatial relationships between pole height and building height must be approved by the ACC. In no case may pole heights of twenty (20) feet be exceeded, measured from the ground to the top of the pole. Poles should be placed in a landscape or walk (vs. parking lot pavement) and mounted on a concrete base no more than six (6) inches in height above grade.

Parking Structure Lighting. Internal lighting must be limited to driving lanes only, must be from a concealed or shielded source not visible from outside of the parking garages. For an exposed top deck, pole heights cannot exceed twelve (12) feet above the surface of the parking deck and must be located on inboard aisles vs. at the perimeter of the deck area.

Building Lighting. Building accent lighting may be used to highlight architectural features. Such lighting must be designed with the intent of providing accent and interest and not to exhibit or advertise buildings or to light parking or site areas (“flood” lights).

Building Mounted Floodlights. Non-shielded industrial type building mounted floodlights such as wall packs are not permitted. Low level building mounted lighting, shielded via architectural sconces, may be used in some situations although such should not be used as a means of lighting large exterior ground level areas.

Service and Storage Area Lighting (Commercial Areas). Service area lighting should be contained within the service yard boundaries and enclosure walls. No light spillover can occur outside the service or storage area. The lighting source should not be visible from the street.

Landscape and Pedestrian Lighting. Accent lighting of landscape elements is permitted, provided that it is low level, background in appearance, and uses a concealed source. Colored accent lighting is not permitted.

Lighted pedestrian walks and exterior paved areas adjacent to buildings must use low intensity fixtures and the lamp color source must be compatible with surrounding area lighting. Walkways are to be lighted only with approved pedestrian scale lighting fixtures at steps, intersections, and near heavily planted areas.

Security Lighting. Any special security lighting should be confined to building entrances or outdoor pedestrian areas. With the exception of low intensity fixtures, the lighting source should not be visible from the street.

Specialty Lighting. Fountain, artwork and seasonal/temporary lighting must be approved by ACC prior to installation.

2. Architecture

Concept

DTC’s overriding architectural goal is to produce development of reasonable quality, order and permanence. Each project will be evaluated in terms of this goal as well as the use and suitability for a given site and compatibility with existing and anticipated development. The architectural design should respond to these factors in terms of form, colors, materials and texture. Of special concern are designs which reflect the existing natural environment and which are architecturally and spatially unified.

Any building improvement (except landscaping, the requirements for which are set forth herein) must be designed by a licensed architect.

A. Massing, Form, and Details

Building massing and exterior form should reflect basic building functions. Well-defined entrances, access drives, public plazas, focal activity areas and pedestrian linkages are important elements which should be incorporated in the design. Architectural detailing of the building exterior should be clean, simple and functional.

B. Materials

All buildings are to be “predominantly” brick or masonry — not metal or glass. In other words, buildings should “read” as brick or masonry structures; and with other materials only for accents.

Preferred materials include, but are not necessarily limited to, architecturally treated pre-cast concrete, brick, stone, ceramic tile, architectural metals and non-reflective glass. Limited amounts of stucco and cementitious siding may be considered for retail or residential buildings if the quality of the design merits such consideration.

Parking structures must be architecturally compatible with proposed buildings (refer to Item D, Site Coverages, in previous section). The same material finish as the exterior of the site building is required. Sloped ramps at external elevations will not be approved. Placement of structures along site frontages is discouraged and will be permitted only when tiering back of the upper levels and buffering landscaping edges can adequately mitigate adverse visual impacts.

Material sample boards reflecting all proposed external building materials are evaluated during the schematic and design development phase of review for preliminary determination of acceptability. However, on-site material mock-ups of reasonable scale to evaluate material color and compatibility under natural light and site conditions are required prior to final approval and full release for construction.

C. Glazing

Highly reflective glass is not allowed. Glazing may be used to help establish an appropriate building scale and to help to identify uses. Transparent glazing should be utilized at ground levels where appropriate to encourage pedestrian activity. Reflective glazing may occur on the second and third surfaces of the glazing unit if energy consumption warrants. In situations where very low transmissivity is required, a reflective surface can only occur on the second or third glazing surface, with a blue, bronze or gray covering surface to mute the reflective surface. Up to an eight percent (8%) light transmission factor will be allowed on these surfaces.

D. Colors

Colors should have low reflective characteristics. Earth tones are considered most appropriate. Use of accent colors should be limited.

E. Heights

Height and, in some areas, bulk plane limitations, apply on several parcels in DTC under zoning regulations. These are shown in Exhibits 1A and 1B. Generally, building heights will be required to transition back at or below a minimum of a 45-degree angle from the first 100 feet from any adjacent roadway. Refer to the Land Use component of the Master Plan (Exhibit 1A).

F. Mechanical/Electrical Equipment

Mechanical/electrical equipment must be designed to be an integral part of any improvement. No heating, air conditioning, electrical, window washing, telecommunications or other equipment may be installed on the roof of any buildings or structures or attached to exterior walls unless screened with the same materials as the building exterior or enclosed in a chimney element that is integral to the building architecture.

G. Roofscape

Rooftops constitute a significant architectural visual element. Rooftop mechanical units, communications or electronic equipment (including telecommunication dishes, antenna and the like) will only be permitted when properly screened (i.e. a minimum of 6" below a parapet wall or contained "within" a rooftop penthouse and may not be mounted on the exterior).

Rooftop penthouse enclosures must be architecturally compatible (in scale and design) and predominately of the same material as the building. In no case may a utility penthouse extend more than 14 feet above the actual roof elevation. Where appropriate, "stealth" type materials may be used in combination with the other penthouse materials to allow for transmission/receipt of communication signals.

Rooftop materials must compliment the underlying structure. Asphalt "shingled" or non-ballasted roof materials are not permitted.

H. Building and Site Railings

Architectural railings (i.e. ornamental metal vs. pipe or wood) must be used if required at building entrances or exits, as well as along stairways, walkways, decks, balconies, porches, etc. or in locations that abut or are readily visible from an adjacent street. Railings must be painted or anodized metal. Ornamental railings must also be used along drainage headwalls, where needed.

I. Safety Bollards / Barriers

These must be of a compatible color with the balance of the site furnishings. The use of bright yellow, red, striped, or other harsh colors is not permitted.

3. Signage

SIGNAGE PROPOSALS WILL ALWAYS BE REVIEWED FOR APPROPRIATENESS WITHIN THE CONTENT OF THE PROPOSED APPLICATION, INCLUDING LOCATION AND PROPORTIONALITY. ADHERENCE TO THE FOLLOWING MINIMUM OR MAXIMUM PARAMETERS DOES NOT NECESSARILY ASSURE ACC APPROVAL.

All proposed plans for signs to be erected, including details of design, materials, location, size, height, color, and lighting, as is the case for all plans for all other improvements, must be approved in writing by the ACC prior to construction or installation of the sign. **A sign permit is required from**

Greenwood Village or Denver for all signage but applications will only be processed with verification of ACC approval.

The size, placement, and design details of all signs are considered to be an integral part of the site development approval process. An overall signage package which includes all signs on the site or building exterior is required for each development site. All exterior signs and graphic systems are to be designed so that they are compatible with the desired character of DTC and relate to the character of the site and improvements. All signage must meet the general “spirit and intent” of these guidelines, as well as criteria set forth in the Greenwood Village or Denver signage code.

A. General Requirements

Materials. All signage must be constructed with a palette of material that is architecturally compatible with the building.

Non-retail signage must be subdued in coloration with ground mounted monument signs of concrete, masonry, or stone compatible with the predominate material of the building. Letters must be pinned-on metal, with uniform black, aluminum, white, brass, or gold coloration, provided that supplementary logos may vary in coloration.

More latitude is allowed in use of materials for retail signage with metal cabinetry, and internal illumination permitted providing same are architecturally compatible in scale and quality with the attendant buildings. However, exposed light sources such as exposed neon are not permitted. Accent lighting will be evaluated on a case-by-case basis for architectural compatibility and situational appropriateness.

Regulatory Signage. Posts must be painted non-perforated metal, tubular or box type.

Directional Signage. On site directional signage must be ground versus post mounted and be the same or aesthetically compatible material as monument signage.

Area Calculations. The area of a sign shall be determined by the exterior boundary of the message and logo areas, including any attendant background accent materials/colors intended to accent the sign message, which creates the smallest continuous perimeter enclosing the extreme limits of the display surface with eight (8) or fewer connected lines.

For ground mounted monument signage: address information, if mounted on the sign support structure vs. on the sign face, is not counted as part of the sign area.

Support structural element or related component parts, if not utilized in a manner that they are intended to emphasize the sign message, are not counted as part of the sign area.

Prohibited Signage. The following signs or types of signage are prohibited:

- Neon or internally illuminated “interior” signage visible from the exterior
- Signs with postscripts (example, Premier Corporation – “Leaders in Our Field;” Leo’s – “Best Hot Dogs in Town”)
- Animated, moving, rotating or sound-emitting signs
- Billboards
- Benches utilized for signs

- Window signage (*see retail and attached single family residential exception*)
- Portable signs which are not permanently affixed to any structure on the site, or permanently mounted to the ground (*see exceptions under “Temporary Signage” in following tables*)
- Roof-mounted signs or signs which project above the highest point of the roof line or the ground-floor fascia of the building
- Vehicles (delivery or otherwise) utilized for de facto site signage. Such vehicles may not be parked in areas adjacent to street frontages, and should park and utilize service entries and areas adjacent to the side or rear of buildings when available.
- Signs attached to a building which project perpendicular a distance of more than eighteen (18) inches from the building
- Signs attached parallel to the wall of a building but mounted more than eighteen (18) inches from the wall
- “Going out of Business” or similar signage indicating a distressed property
- Signs identifying a home occupation
- Off-premises signs (*see directory exception*)
- Balloons
- Roadway median signage
- Internally illuminated awnings; awnings, if allowed, shall be opaque and shall not be back-lit

B. Permanent Signs

TYPE	TYPE / NUMBER / SIZE	PERMITTED INFORMATION	OTHER CONSIDERATIONS
OFFICE			
Freestanding Building Identification	Type: Ground-mounted monument only; single or double-faced Number: One (1) per direct abutting street (at street frontage); Two (2) max; (one (1) max if in complex) Size: Max forty (40) sf per face Height: Max five (5) ft including base	Either building or tenant name (not both) / logo if applicable / address	May not be located in proximity of Complex Identity Signage
Complex Identification (3 or more buildings)	Type: Ground-mounted monument only; single or double faced Number: One (1) per direct street frontage with access Size: Max fifty (50) sf per face Height: Max six (6) ft including base	Complex name / logo / address	Overall site signage program required; <i>See Freestanding Building for buildings within a complex</i>
RETAIL*	* Those uses, including financial, that engage in the direct sale, i.e. consumed or delivered at the premises, of goods/merchandise or services (such as an athletic club). Legal, brokerage, architectural/engineering and similar uses are not considered retail (exceptions may be made for such businesses located in a multi-tenant retail building within a retail complex)		
Freestanding Building Identification	Type: Ground-mounted monument: single or double-faced Building-mounted: single faced Number: One (1) ground-mounted monument and one (1) building-mounted per direct abutting street frontage (at frontage), three (3) max overall Size: Ground-mounted monument: max forty (40) sf per face Building-mounted: max fifty (50) sf Height: Ground-mounted monument: max six (6) ft including base; Building-mounted: may not extend above building parapet (or more than eighteen in (18") from building)	Name / logo / principal service or product identification only permitted if necessary to clarify in support of name. If used, logo cannot exceed letter height of overall size of name.	Ground-mounted monument may not be located in proximity of Complex Identity Signage Building-mounted must be proportional to building in scale Gasoline price signage integrated into a freestanding monument sign may not exceed ten (10) sf per face; variable (i.e. changeable numbers) price information is permitted
Complex Identification (3 or more buildings)	Type: Ground-mounted monument only; single or double faced Number: One (1) per direct street frontage with access Size: Max fifty (50) sf per face Height: Max fifteen (15) ft including base	Complex name / logo / address	Overall site signage program required Material criteria for office applies

B. Permanent Signs (continued)

TYPE	TYPE / NUMBER / SIZE	PERMITTED INFORMATION	OTHER CONSIDERATIONS
RETAIL (cont.)			
Tenant Identification (within freestanding multitenant retail bldg.)	Type: Building-mounted Number: One (1) per tenant; two (2) for end unit Size: 0.75 ln ft per ln ft of tenant frontage; max fifty (50) sf Height: May not extend above first floor building parapet (or more than eighteen (18) in. from building)	Tenant name / logo / principal service or product identification only permitted if necessary to clarify in support of name. If used, logo cannot exceed letter height of overall size of name.	Overall site signage program required; <i>See general criteria regarding letter material, coloration, etc.</i> Direct individual exterior entry access for tenant required Building mounted signage must abut the related tenant space.
Tenant Identification (within freestanding office, hotel, or residential bldg.)	Type: Building-mounted Number: One (1) per tenant Size: Building-mounted: 1 sf per lineal ft of building face on which sign is mounted up to max 30 sf Height: May not extend above first floor building parapet (or more than eighteen (18) in. from building)	Tenant name / logo / principal service or product identification only permitted if necessary to clarify in support of name. If used, logo cannot exceed letter height of overall size of name.	Overall site signage program required; <i>See general criteria regarding letter material, coloration, etc.</i> Direct individual exterior entry access for tenant required <i>Note: this criteria may be used for “mixed-use” facilities</i>
Tenant Window Signage / Displays	Size: Max fifteen percent (15%) of storefront glass area	Window signage may not be used as supplementary identity signage. The only permanent-type signage permitted is “hours of operation” and “type of payment accepted” which must be confined to an area not exceeding one square foot.* All other window signage or displays may only be for short-term advertising for special events or products for a period not exceeding 90 days per occasion.	Interior illuminated signs visible to the exterior of the building are not permitted. Interior signage within thirty six inches (36”) of window glass shall be considered window signage. *A variance from the City of Greenwood Village is required for any window signage other than above. Financial & athletic clubs are not permitted to have window signage.

B. Permanent Signs (continued)

TYPE	TYPE / NUMBER / SIZE	PERMITTED INFORMATION	OTHER CONSIDERATIONS
HOTEL			
	<p>Type: Ground-mounted monument: single or double faced Building-mounted: single-faced</p> <p>Number: One (1) ground-mounted monument per direct street frontage with access; plus two (2) building-mounted; four (4) max overall</p> <p>Size: Ground-mounted monument: max fifty (50) sf per face Building-mounted: fifty (50) sf; add one (1) sf per linear ft of building frontage to max of one hundred (100) sf for buildings in excess of sixty (60) ft ht. & 200k sf</p> <p>Height: Ground-mounted monument: max six (6) ft including base Building-mounted: cannot extend above building parapet (or more than eighteen (18) in. from building)</p>	Name / logo; addresses may be used on ground-mounted only	<i>See General Criteria regarding materials, coloration, etc.</i>
RESIDENTIAL			
Complex Identification	<p>Type: Ground-mounted monument only; single or double faced</p> <p>Number: One (1) per direct street frontage with access</p> <p>Size: Max thirty (30) sf per face</p> <p>Height: Max five (5) ft including base</p>	Complex name / logo / address / sales-leasing contact / vacancy status	Overall site signage program required
SPECIALTY / OTHER			
Addressing	<p>Address (street name and numbers) may not be utilized as a supplementary form of identity signage.</p> <p>Address information for all uses except residential must be placed on the approved ground-mounted identity monument signage, with the provision that non-illuminated, metal pin-mounted address “numbers” may be applied to a building entry or ground-floor level street façade.</p> <p>Address lettering cannot exceed a six (6) inch letter height and must utilize a Palatino typeface, upper and lower case.</p> <p>Supplementary address identification for individual units or buildings within a residential complex is permitted providing that it is appropriate to scale.</p>		

B. Permanent Signs (continued)

TYPE	NUMBER / SIZE	PERMITTED INFORMATION	OTHER CONSIDERATIONS																		
SPECIALTY / OTHER (continued)																					
Directional	Type: Ground-mounted Number: As required and approved Size: Maximum six (6) sf per sign Height: Ground mounted: four (4) ft including base	As approved by ACC, no names or logos	Review and approval of such signage “internal” to development is required; Must be consistent in size, materials and color with the overall site signage program.																		
Regulatory	Type: Post – mounted Number: As required and approved Size: Maximum six (6) sf per sign Height: Post: seven (7) ft max. from grade to top of sign and post	As approved by ACC, no names or logos	Review and approval of such signage “internal” to development is required; Must be consistent in size, materials and color with the overall site signage program; Wood or unpainted sheet metal backgrounds are not permitted; Post mountings are to be solid (vs. perforated) tubular or box type, metal and painted																		
Flag / Decorative Banners	Size: Flag and decorative banner sizes (maximum) must be proportional to the pole height as follows: <table border="1" data-bbox="470 922 1010 1130" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Flagpole Height (ft)</th> <th>Flag Size (sf)</th> <th>Banner Size (sf)</th> </tr> </thead> <tbody> <tr> <td>20</td> <td>3 x 5</td> <td>15</td> </tr> <tr> <td>25</td> <td>4 x 6</td> <td>24</td> </tr> <tr> <td>30</td> <td>5 x 8</td> <td>32</td> </tr> <tr> <td>35</td> <td>"</td> <td>"</td> </tr> <tr> <td>40</td> <td>"</td> <td>"</td> </tr> </tbody> </table>	Flagpole Height (ft)	Flag Size (sf)	Banner Size (sf)	20	3 x 5	15	25	4 x 6	24	30	5 x 8	32	35	"	"	40	"	"	Flags: corporate logo only if flown with national and state flags (three (3) total; individual pole mounts required) Banners: cannot have any lettering / logo	May not be used as in-lieu signage; Only permitted as integral part of an overall site identity; (Identified corporate entity must be sole occupant of entire building or complex); Flags or banner heights cannot extend above adjacent building parapets; Freestanding retail buildings excluded from corporate logo
Flagpole Height (ft)	Flag Size (sf)	Banner Size (sf)																			
20	3 x 5	15																			
25	4 x 6	24																			
30	5 x 8	32																			
35	"	"																			
40	"	"																			
DTC Identity / Directory	Overall DTC identity and directory signage as approved by the ACC may be permitted subject to the following criteria: <ul style="list-style-type: none"> • Such signage may be located in the vicinity of major entry points to DTC • The scale and quality of such signage will be commensurate with the overall scale of the development • Identity signage language may only contain the DTC name and logo • Directory signage may also contain a map and listing of property names and uses • Up to five (5) identity signs and two (2) directory locations may be permitted • An overall DTC plan for such signage shall be submitted to the GWV Planning & Zoning Commission for review and approval to ensure consistency with the above parameters prior to any such installations 																				

C. Temporary Signs

TYPE	NUMBER / SIZE	PERMITTED INFORMATION	OTHER CONSIDERATIONS
LEASE / FOR SALE			
Vacant Land	Type: Ground-mounted Number: One (1) per direct street frontage Size: 2'-6" x 6'-0", one (1) or two (2) faces Height: Max three (3) ft, six (6) in from grade	Name or logo of sales entity (logo max 18" x 24", name max 4" letters) / Site Available (max 5" letters) / Contact (max 3" letters) / Telephone # (max 4" letters)	White on dark brown background; (See attached Exhibit A)
Commercial	Type: Ground mounted Number: One per direct street frontage Size: 2'-6" x 6'-0", one (1) or two (2) faces Height: Max three (3) ft, six (6) in from grade	Name or logo of sales entity (logo max 18" x 24", name max 4" letters) / Space Available (max 5" letters) / Contact (max 3" letters) / Telephone # (max 4" letters)	May be used only when building occupancy is less than ninety percent (90%); White letters on dark brown background (<i>See attached Exhibit A</i>); <i>"For Sale: designation not allowed</i>
Single Family Detached	Type: One ground-mounted Size: Not to exceed six (6) sf Height: Max three (3) ft, six (6) in from grade	Name or logo of sales entity and / or broker; Telephone #; Sale / Lease designation/term sheet box	Metal with painted external frame; Window signage not permitted
Single Family Attached (condo / townhome)	Type: One window-mounted (interior window front entry façade) Size: Not to exceed three (3) sf	Name or logo of sales entity and/or broker; Telephone #; Sale/Lease designation	No other exterior signage allowed

C. Temporary Signs (continued)

TYPE	NUMBER / SIZE	PERMITTED INFORMATION	OTHER CONSIDERATIONS
OTHER			
<p>Project Announcement</p>	<p>Type: Ground or post-mounted or construction site screen fencing Number: One (1) per direct street frontage Size: Four (4) ft x eight (8) ft with rendering; four (4) ft x four (4) ft without rendering; one (1) or two (2) faces Height: Max ten (10) ft from grade</p>	<p>Name of project / rendering / name / logo / phone # of developer, architect, lender, prime contractor, leasing agent / website (developer only)</p>	<p>Ground or post-mounted only; Must be removed no later than date of receipt of a certificate of occupancy, or installation of permanent signage, whichever occurs first.</p> <p>Screen Fencing: Graphic design may be used on screen fencing with prior approval for retail and residential projects. Name of establishment and leasing or sale information may be incorporated in design. Limited to 100 feet in length along abutting street.</p> <p>Single Family detached residential complex projects will be allowed project announcement signs at each roadway entry to their project. Such signage may remain in place from the point in time that the initial lots are placed on the market until all initial lot sales have been completed, but in no event longer than a period of two years. The signage may include the name of the developer, product and price range, and the sales office phone number. A \$5k performance deposit is required. (<i>See Exhibit 5, Temporary Sign Details</i>)</p>
<p>Initial Opening-Retail</p>	<p>Type: Banner or other approved concept Number: One (1) per abutting street frontage with direct access Size: Max one hundred (100) sq. ft. Height: Must be placed on ground-mounted monument identity signage; or if building-mounted must be below building parapet or eave line.</p>	<p>In addition to name of business the following text may be included: “Now Open,” “Opening Soon” or “Now Hiring.”</p>	<p>Retail: initial opening, 90-day period extending from as early as 30 days prior to initial opening, \$1k performance deposit.</p>

C. Temporary Signs (continued)

TYPE	NUMBER / SIZE	PERMITTED INFORMATION	OTHER CONSIDERATIONS
OTHER (continued)			
Initial Opening-Multifamily	Type: Banner or other approved concept Number: One (1) per abutting street frontage with direct access Size: Max one hundred (100) sq. ft. Height: Must be placed on ground-mounted monument identity signage; or if building-mounted must be below building parapet or eave line.	Banner may state name of complex, type of units, “Now Open,” “Opening Soon,” “Now Leasing,” or “Now Available.”	Multifamily residential: initial opening, 180 days or 90% occupancy, whichever occurs first, extending from as early as 90 days prior to opening; \$5k performance deposit.
Interim Identity	Type: Banner Number: As permitted Size: Size and wording must be comparable to that of proposed permanent signage.	Must be identical to permanent signage; Supplemental text may include “Now Open,” “Opening Soon,” or “Now Hiring.”	Retail: must be located in the same location of proposed permanent sign. Interim signage must be consistent with permanent in terms of location, size and message; Max of sixty (60) day period allowable; removal required once permanent identity signage installed; \$500 performance deposit.
Directional	Type: Ground or post mounted Number: As approved by ACC Size: two (2) ft x two (2) ft single face Height: Max four (4) ft, zero (0) inches from grade	Directions only (two (2) inch letters)	Must be professionally produced on signage (vs. construction) material; Can be installed at commencement of construction and must be removed prior to ACC Certificate of Compliance.
Special Events	Type: Banner or other approved concept Number: One (1) per abutting street frontage with direct access Size: Max one hundred (100) sq. ft. Height: Must be placed on ground-mounted monument identity signage; or if building-mounted must be below building parapet	Subject to review	Retail “Complex”: special event, 15 days, cannot be installed more than 3 days prior to or after event; \$1k performance deposit Applications within the City of Greenwood Village may require a City variance.

Submittal Phases and Process

The Process

The submittal procedures, as outlined below, pertain to exterior architectural modifications including but not limited to signage, landscape, satellite dishes, antennas, construction yards, trash enclosures, fencing, lighting, driveways, parking areas and any improvements that affect the appearance, design or outside elements of property (refer to Section 2.09 of the Covenants for a complete definition of “Improvements”).

Applicants may apply for approval of landscape, signage and lighting separately or concurrently with building plans; however, applicants must obtain the combined final approval for these items during the Design Development phase.

Each submittal phase has a specific fee requirement for each project type. Refer to the Fee Schedule, located at the back of this section.

An application, along with applicable review fees, plans and supporting documentation, must be submitted to the ACC staff no later than noon (12 p.m.) ten (10) calendar days before a scheduled ACC meeting in order for a project to be placed on the monthly agenda. Copies of the required processing forms are located at the back of this section.

ACC approvals are always contingent upon full adherence to the Committee’s Design Standards and Criteria unless a specific waiver or exception to same is spelled out on the Notice of Committee Action regardless of what is depicted on plan submittals. Any subsequent plan or field modifications are subject to this same requirement. The ACC reserves full right to require remediation of any such unapproved waivers as a condition of release for occupancy, release of a performance deposit, and or issuance of a Certificate of Compliance. It is the applicant’s sole responsibility to identify and request such waivers through the application process prior to implementation.

1. Pre-Design Conference

A pre-design conference is highly recommended prior to the submission of any application to the ACC. Usually this will enable Applicants to learn about any specific key concerns relative to a site or project proposal and address same prior to formal application.

Focus is on the following areas:

- site relationship to ACC Master Plan (See Exhibit 3)
- site layout and use relationship to surrounding parcels
- infrastructure adequacy
- proposed site and building layout

The following should be brought to the meeting:

- vicinity map
- boundary survey
- conceptual site plan showing building, parking and landscape areas, noting setbacks

As this is an informal discussion, no fees are required; nor does the ACC retain any materials discussed.

2. Preliminary Sketch Plan

This requires a formal submittal to and approval by the ACC in follow-up to the pre-design conference with the ACC concurrence if the pre-design conference indicates no significant “concept” issues. This submittal may be combined with the Schematic Design submittal. Submittal is to be the same as the Pre-Design Conference.

Submittals must be accompanied by the required forms (see Form 2) along with one (1) full size and fifteen (15) reduced sets of plans; along with the required review fee (see Form 1).

3. General Development Plan (GDP)

This type of submittal is only required for projects involving multiple phases of development. Normally, it involves the same type of information as required for the Schematic Design (see below) but for the entire project.

Applicants have the option of taking their GDP through any additional review phases so desired. They also have to option to amend a GDP at any time.

4. Schematic Design

At this phase plans are considered preliminary but submittals and presentations must address the following areas:

- site layout showing relationship to surrounding parcels
- infrastructure services; including points of connection and any building-mounted equipment
- site building, parking and landscape layout with coverage calculations and setbacks (see Sec. 1, Site Planning)
- existing and proposed topography; with building elevations
- signage and lighting
- access and pedestrian circulation
- building architectural and material treatments for all elevations (with color boards, material sample boards, and manufacturer listings)
- roof plan inclusive of any proposed HVAC , electrical, mechanical, or telecommunication equipment
- shadow study (if applicable)
- massing model (if applicable)

Submittals must be accompanied by the required forms (see Form 2) along with one (1) full size and fifteen (15) reduced sets of plans; along with the required review fee (see Form 1).

5. Design Development

This is the last phase of review before the full ACC. Plans must address the same areas as referenced in the Schematic Design Phase; but at a sufficient level of detail to fully define all architectural and site design elements. Notable areas in this respect are:

- full definition of all materials proposed for the exterior of the building, inclusive of color samples with manufacturer and specification.
- cut sheets on lighting poles and housing; with luminaire type

- fully defined signage size, location, materials, and color, inclusive of any directional and regulatory signage
- fully defined landscape plans with plant type and sizes
- clarification of any proposed building-mounted vents, or mechanical or electrical equipment
- site plan reflecting utilities such as transformers, telephone pedestals, telecommunication equipment, etc.

This submittal must be accompanied by the required forms (see Form 2), along with one (1) full size and fifteen (15) reduced sets of plans; with the required review fee (see Form 1).

6. Construction Documents

The purpose of this review is to assure that the final construction documents meet the design intent of prior reviews and approvals. Full ACC review is not required, as confirmation is normally done by the assigned ACC liaisons.

ACC approvals are always contingent upon full adherence to the Committee's Design Standards and Criteria unless a specific waiver or exception to same is spelled out on the Notice of Committee Action regardless of what is depicted on plan submittals. All subsequent plan or field modifications are subject to this same requirement. The ACC reserves full right to require remediation of any such unapproved waivers as a condition of release for occupancy, release of a performance deposit, and or issuance of a Certificate of Compliance. It is the applicant's sole responsibility to identify and request such waivers through the application process prior to implementation.

This submittal must be accompanied by the required forms (see Form 2 & 5), along with one (1) full-size and two (2) reduced sets and an electronic (PDF format) disc copy of the plans with the required review fee (see Form 1).

Items to be submitted by the applicant are:

One (1) electronic copy (disc) of the CD documents in the PDF format along with one (1) full size and two (2) reduced fifty percent (50%) verification prints of same. CD documents include plans and specifications of architectural, civil landscape, lighting and signage documents. Note that plans and documents for structural, mechanical and electrical elements not visible from the exterior of the building do not need to be submitted, and should not be included with CD submittals.

Applicants are cautioned with respect to making modifications in Construction Document submittals or subsequent field modifications regarding design concepts approved by the ACC in the Schematic and Design Development review phases without making a written request and receiving written ACC approval via a Notice of Committee Action. Applicant must "cloud" any changes or variations between the approved Design Development and the Construction Documents submittal.

Absent specific ACC approval in this respect, the ACC reserves full latitude to require modifications of same to meet Design Criteria prior to final acceptance of the project, issuance of a Certificate of Compliance, and/or release of a Performance Surety deposit.

7. On Site Material Mock Up

Final Committee approval of building material is subject to provision of an on-site material mock-up displaying all proposed materials to be used on the building.

The mock-up must be of reasonable scale (typically 8' x 8' to 10' x 10') to provide a reasonable depiction of all proposed architectural fenestrations, accents, etc. and their interrelationships. Sample photos of mock-ups are available upon request.

This must be provided, and approved by the Committee prior to any final material orders and initiation of any construction beyond site grading and utilities. The Applicant is “at risk” for any material orders placed prior to Committee approval of the on-site mock-up.

8. Construction Site Logistics and Performance Agreement

Applicants are required to provide a logistics plan (2 sets) for their construction activities including the items as outlined on the Exhibit 7 checklist.

Written approval of the Construction Site Logistics Plan, submittal of the Performance Security Deposit and execution of the Construction Site Logistics agreement (see Forms 2 & 4 and Fee Schedule) by the ACC shall give the applicant the right to proceed with construction subject to any other applicable jurisdictional requirements.

Applicants and their contractors should also be aware of other requirements as follows:

- **Streets.** All street cuts, if permitted, must be accomplished by saw-cutting the pavement. All streets must be maintained for public access at all times. The streets bordering the construction site and in the immediate vicinity must be cleaned and swept within forty-eight (48) hours after any construction work or deposit of dirt, debris or any other materials hauled to or from the site.
- **Working Hours.** No construction work is permitted between the hours of 10:00 p.m. and 6:00 a.m. unless prior approval is received from the Architectural Control Committee through its staff.
- **Notifications.** In addition to any other notifications required by other agencies, Tech Center Maintenance must be notified forty-eight (48) hours prior to the commencement of any construction within the streets or medians.
- **Easement or Leased Areas.** Easements or lease boundaries with dimensions must be shown on the site plan. Any filling or excavation done on the easement or land areas must be described.

9. Jurisdictional Permitting

The ACC does not preempt the need to obtain building, grading, signage and other permits from governmental jurisdictions. However, ACC approval and a release form (see Form 5) are required prior to application to the City of Greenwood Village or Denver for such permits. Releases for permits cannot be given until an Applicant has made all of the necessary submittals as referenced above.

Note also that for projects in Denver (i.e. north of Belleview) verification of payment to Denver Suburban Water District of required tap fees is also required prior to any such release.

10. Certificate of Compliance

This is the final stage of development review by the ACC. Release of the Performance Surety Deposit will not be made without prior issuance of a Certificate of Compliance. Requests of this nature must be made in writing by the Applicant and accompanied by the required forms (see Forms 2 & 6) as well as the attendant fee (see Fee Schedule, Form 1).

11. Minor Projects

An abbreviated procedure is available for minor projects such as signage replacements, landscape upgrades, patios, railings, HVAC replacements. Such applications must be accompanied by the required form (See Form 2) along with two sets of fully-defined plans and the required review fee (See Fee Schedule, Form 1).

Temporary site events must be approved by the ACC prior to occurrence. Submittal must include application (see Form 2) and fee, dates and times of the event, description, event details, and other pertinent information.

12. Appeals

In the event an applicant wishes to formally object to terms and conditions attendant to an Architectural Control Committee Notice of Committee Action or Notice of Non-Compliance, the following process shall apply:

The appeal must:

1. be made in writing by either the applicant or his legal counsel and addressed to the Architectural Control Committee Chairman.
2. be filed and postmarked seven (7) calendar days prior to Notice of Committee Action expiration date or Notice of Non-Compliance resolution due date.
3. identify the specific term or condition being objected to along with justification as to the bases for appeal (see below).
4. provide recommended alternative means of mitigation or resolution of the element of concern.
5. be accompanied by the required review fee (see fee schedule).

Appeals relevant to Architectural Control Committee Notice of Committee Actions may only be made subsequent to either denial of an application or issuance of an Authorization to Apply for Building Permit with the local jurisdiction. In all cases, applicants are considered within the established review process.

Property owners are advised that, in all cases (either conditions relevant to a Notice of Committee Action or a Notice of Non-Compliance) evaluation of appeals will be based on demonstrated unique and extraordinary hardships or inapplicability of criteria or condition imposed versus subjective preference or simply not adhering to established criteria for self-induced hardship reasons.

Normally, the Committee will respond in writing to an appeal within 15 days of receipt. In the event a formal hearing is requested with the Committee, the hearing will be set within 30 days of the postmarked date of the Appeal, and the Committee will similarly respond in writing within 15 days of said appeal.

In all cases, the Committee determination per above will be the final determination.

13. Variances

The Architectural Control Committee, in its sole discretion, may authorize a variance from compliance with any of the criteria set forth herein when circumstances such as topography, natural obstructions, hardships (non-self-imposed), aesthetic, planning, or environmental objectives may warrant. Variances must be specifically itemized, rationalized, and documented as such via a Notice of Committee Action.

14. Processing Forms

1. Fee Schedule
2. Application for Project Review – 2 pages
3. Notice of Committee Action
4. Compliance & Performance Agreement
5. Certification of Net Floor Area
6. Certificate of Compliance
7. Notification of Non-Compliance
8. Public Record Notice of Violation



**Architectural Control Committee
Denver Technological Center**

FEE SCHEDULE

New Development:

	Building Floor Area		
	Up to 20,000 gsf	20,001 to 100,000 gsf	Over 100,000 gsf
Commercial:			
Sketch Plan/GDP	\$500	\$1,000	\$1,500
Schematic Design	\$1500	\$2,500	\$3,500
Design Development	\$1,500	\$2,500	\$3,500
Construction Documents	\$1,500	\$2,500	\$3,500
Construction Performance Security Deposit	\$10,000	\$25,000	\$50,000
Certificate of Compliance	\$500	\$500	\$500
Single Family Residential*:			
Model Home Review	\$250 per model		
Building Permit Release	\$100 per dwelling unit		
Security Deposit	\$150 per dwelling unit		

Site Modifications:

Signage			
Lease Sign		\$100 Annually	
Temporary		\$50	
Permanent		\$500 comprehensive signage program	No fee for subsequent submittals that do not require adjustments to the comprehensive sign program.
Minor Modification:		\$250 to \$2,500 depending on complexity	

Certificate of Compliance: No fee for requests due to property sale, transfer of ownership, etc.

The ACC from time to time may establish fees for unique submittals.

Violations:

Commercial (including apartments):

First Notice	\$100 fine + remediation
Second Notice	\$200 fine + remediation
Third Notice	\$500 fine + accrual at \$100 a day, up to \$10,000 + remediation
Public Record Notice of Violation	Up to \$10,000 total

* Includes single family, duplex, condominiums and townhomes, but not overall complex violations. Fines are progressive but not cumulative.

Appeals:

Commercial (including apartments):

Written Review Only:	\$500
Full Committee Presentation/Hearing:	\$2500

Individually Owned Residential:

Written Review Only:	\$25
Full Committee Presentation/Hearing:	N/A

All checks should be made out to: Goldsmith Metropolitan District
6380 S. Fiddlers Green Circle* Suite 400 * Greenwood Village, CO 80111
Phone: 303-773-1700 / fax: 303-740-6954; Email: noca@accdcc.org
Website: www.accdcc.org



**Architectural Control Committee
Denver Technological Center**

APPLICATION FOR PROJECT REVIEW

Project Name: _____ Parcel/Tract/Lot/Ref No.: _____

Address: _____

Type of Application:

- Building
- Landscape
- Signage
- Lighting
- Telecommunication
- Compliance Confirmation
- Minor Appurtenance
- Appeal

Submittal Phase:

- Sketch or GDP
- Schematic Design
- Design Development
- Construction Documents
- Site Plan
- Construction Logistics
- Permit Authorization
- Certificate of Compliance

Attached Plan References:

Date: _____
 Prepared By: _____
 No. of Sheets: _____
 Project No.: _____
 Revision Date: _____

Site Coverages:

	Area (sq.ft.)	(%)
Building / Structure (40% max)	_____	_____
Parking (40% max)	_____	_____
Open Space (30% min)	_____	_____
TOTAL	_____	_____

Please fill out applicable sections below:

BUILDING:

- Office Retail Restaurant Hotel Multi-Family Single Family Other Totals

Gross Floor Area:* _____
 Net Floor Area:* _____
 Units: _____

*Use zoning definitions in Denver; ACC definitions in Greenwood Village

PARKING:

- Structured Surface Handicap Carpool Bike Total

Number of Spaces: _____

LANDSCAPE:

- Deciduous Ornamental Evergreen Shrub Flower Turf
 Trees (50%) Trees (25%) Trees (25%) Areas Areas Areas

Number: _____
 Percentage: _____
 Size: _____

SIGNAGE:

Temporary

Type: Announcement Lease Directional Event
 Number: _____
 Size: _____

Permanent

Type: Monument Bldg Mounted Directional
 Number: _____
 Size: _____

APPLICANT CERTIFICATION:

I hereby attest that I am either an owner or a legally-designated agent of the owner and that the information contained in this application is true and correct; and further acknowledge that any approval action by the ACC based on inaccurate or incomplete information may be cause for invalidation of said approval.

Name: _____ Date: _____



**APPLICATION FOR PROJECT REVIEW
APPLICANT CONTACT INFORMATION**

Owner/Developer: _____

Address: _____

Contact: _____

Phone: _____ Fax: _____

Email: _____

Architect: _____

Address: _____

Contact: _____

Phone: _____ Fax: _____

Email: _____

Landscape Architect: _____

Address: _____

Contact: _____

Phone: _____ Fax: _____

Email: _____

Civil Engineer: _____

Address: _____

Contact: _____

Phone: _____ Fax: _____

Email: _____

Contractor: _____

Address: _____

Contact: _____

Phone: _____ Fax: _____

Email: _____

Building Management: _____

Address: _____

Contact: _____

Phone: _____ Fax: _____

Email: _____



NOTICE OF COMMITTEE ACTION

Date: _____

Project Name: _____

Address: _____

Parcel/Tract/Lot/Ref No.: _____

Via fax:

Type of Application:

- Building
- Landscape
- Signage
- Lighting
- Telecommunication
- Compliance Confirmation
- Minor Appurtenance

Submittal Phase:

- Sketch or GDP
- Schematic Design
- Design Development
- Construction Documents
- Site Plan
- Construction Logistics
- Permit Authorization
- Certificate of Compliance

Attached Plan References:

Action Taken: Deferred Approved Approved with Conditions (see below) Denied

To the extent that this approval allows proceeding with the next phase of planning on the project, approval is subject to submittal and subsequent approval of all documents and items required for all subsequent phases of the project and payment of fees associated with any submittal including the submittal that is the subject matter of this letter. Thus, any failure to comply with ACC submittal and approval requirements for subsequent phases of the project will invalidate the approval granted herein.

As with all approvals of the Architectural Control Committee, the approval extends to the design concepts included in this submittal, but not necessarily to design details. Applicants are responsible for ensuring that all design details and actual construction of the project conform to the Protective Covenants of Denver Technological Center ("Covenants"), which govern the use of the subject property.

Full compliance with all aspects of current Architectural Control Committee Design Criteria is required unless exceptions thereto are specifically enumerated on a Notice of Committee Action per above.

ACC approvals are always contingent upon full adherence to the Committee's Design Standards and Criteria unless a specific waiver or exception to same is spelled out on this form regardless of what is depicted on plan submittals. Any subsequent plan or field modifications are subject to this same requirement. The ACC reserves full right to require remediation of any such unapproved waivers as a condition of release for occupancy, release of a performance deposit, and or issuance of a Certificate of Compliance. It is the applicant's sole responsibility to identify and request such waivers through the application process prior to implementation.

Pursuant to the Covenants, the plan approval(s) granted herein (are/is) valid through the date below, by which date you must obtain Construction Document approval and begin construction of the project. If construction does not begin on the project by that date, this approval shall expire. In such event, plans must be resubmitted before proceeding.

This approval is not a representation or warranty by either the Committee or by any other person or entity that the approved plans are in compliance with any site specific contractual or covenant use restrictions that apply including, but not limited to, any limitation on gross floor area, the definition of which in a contract or the covenants may differ from the definition used to make the calculations for purposes of the submittal of plans to the Committee.

Architectural Control Committee of Denver Technological Center

Raymond A. Bullock, Chairman

Date: _____
Valid Until: _____



COMPLIANCE & PERFORMANCE AGREEMENT

Project Name: _____

Address: _____ **Parcel/Tract/Lot/Ref No.:** _____

By execution of this agreement, ACC, Owner and Owner's General Contractor acting as Owner's Agent acknowledge that the Construction Documents and Site Logistics Plans dated _____ ("Plans") submitted for the above referenced project has been approved by the Architectural Control Committee ("ACC") subject to the conditions set forth in the ACC letters dated _____, and that the ACC is holding a \$ _____ performance security deposit to ensure compliance with the Plans. Owner and Owner's General Contractor acknowledge and agree that they will comply with the Plans and in all respects, that they will obey all directives of the ACC concerning matters or items not in compliance with the Plans, and that in the event the Owner or Owner's General Contractor fail to comply with the Plans or obey such directives, the ACC (1) may retain all or any part of the compliance and security deposit, (2) order an immediate halt to all construction on the site until compliance occurs, (3) remedy or correct the noncompliance itself at Owner's expense, and/or (4) require the posting of a new or additional performance security deposit as a prerequisite to allowing construction on the site to resume, and that the Compliance and Performance Security Deposit, or any portions thereof, is only refundable after a final Certificate of Compliance has been issued for the project by the ACC. **If full compliance of all outstanding issues is not made within 12 months of receipt of a final certificate of occupancy from the county and a written refund request/compliance verification received within this same period, the deposit is forfeited.**

Owner:	Owner's General Contractor:
_____	_____
By:	By:
_____	_____

The foregoing certification is hereby confirmed by the Architectural Control Committee of Denver Technological Center.

Architectural Control Committee of Denver Technological Center Date: _____

_____ **Raymond A. Bullock, Chairman** Valid until: _____



CERTIFICATION OF NET FLOOR AREA

This Certification of Net Floor Area is provided as of the ___ day of _____, 20___ with respect to the land and improvements located thereon known as _____ at _____ in Superblock “_____” in Denver Technological Center (the “Site”).

Owner and Architect hereby certify that the improvements herein are comprised of the following:

ACC Floor Area* _____ square feet

* defined as the sum of the gross horizontal areas of all floors within the exterior walls of a building, including interior balconies and mezzanines, but excluding exterior balconies. All horizontal dimensions of each floor are to be measured to the interior finished faces of the exterior walls of each such floor. In computing ACC Floor Area there shall be excluded the following:

(Note: This definition may vary from governmental zoning definitions.)

1. Any floor area devoted to mechanical, electrical or communication equipment or uses as may be required for the operation of the building, including elevators, serving the building or devoted to stairwells;
2. Any floor area in a story the ceiling whereof is less than four feet above grade at any point unless said floor area is devoted to office, commercial, or service uses;
3. Any floor area used exclusively as parking and/or circulation space for motor vehicles; and
4. Any floor area that serves as interior common area open space, such as an atrium or lobby (except that the first floor of any atrium or lobby shall constitute ACC Floor area).

This certification is being issued to the Architectural Control Committee of the Denver Technological Center by

Owner:

 _____ (Corporate officer signature)
 _____ (Typed officer name)
 _____ (Corporate name and address)

Architect:

 _____ (Signature)
 _____ (Typed name and State Registration number)
 _____ (Firm name and address)

STATE OF COLORADO)
) ss:
 COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20___, by _____ as Owner or Owner’s Agent of the above-referenced parcel.

Witness my hand and official seal.

My commission expires: _____

By: _____
Notary Public



CERTIFICATE OF COMPLIANCE

This Certificate of Compliance is issued as of the _____ day of _____, 20__ with respect to the land and improvements located thereon known as _____ at _____ in Superblock _____ of the Denver Technological Center – ACC building reference _____ (the “Site”). Pursuant to the authority granted to the Architectural Control Committee of the Denver Technological Center (the “ACC”) under the Protective Covenants of Denver Technological Center recorded on March 15, 1982 in the Office of the Clerk and Recorder of Denver County, Colorado in Book 2550 at Page 82 and recorded on March 15, 1982 in the Office of the Clerk and Recorder of Arapahoe County, Colorado in Book 3592 at Page 324 (the “CC&Rs”), the ACC hereby confirms and certifies that, as of the date of this Certificate: The CC&Rs as referenced above are complete and current in their cited form; all approvals necessary to be obtained from the ACC in connection with the construction of the existing improvements were obtained; and the site, over which the ACC has jurisdiction, and all of the improvements located thereon are in compliance with the CC&Rs; and, there are no outstanding fines, fees or assessments due the ACC as of this date.

This certification is being issued to _____

ARCHITECTURAL CONTROL COMMITTEE
OF THE DENVER TECHNOLOGICAL CENTER

By: _____
Raymond A. Bullock
Chairman

STATE OF COLORADO)
) ss:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____ 20____, by Raymond A. Bullock as Chairman of the Architectural Control Committee of the Denver Technological Center.

Witness my hand and official seal.

My commission expires: _____

By: _____
Notary Public



Architectural Control Committee
Denver Technological Center

NOTIFICATION OF NON-COMPLIANCE

Date: _____

To: _____

Via fax or email:

Site Name: _____

Address: _____ Parcel/Tract/Lot/Ref No.: _____

Recent inspection indicates the following item(s) on your site are not in compliance with the Protective Covenants of Denver Technological Center. You are hereby notified that corrective action is required for the following conditions.

Penalty Schedule:

- Unauthorized Installation/Alteration \$250 fine + remediation (removal or reapplication with fee payment)
- Other Violation \$250 fine + remediation

Failure to remediate and make payment within specified time frame:

- 1st notice Fines doubled
- 2nd notice Fines redoubled and start accruing @ \$250/day until remediation & payment
- 3rd notice Recording (in public records) of Notice of Violation (see Form, this section); fines continue to accrue @ \$250/day until remediation
- Repeat Violation (1st) \$500 fine + remediation
- Repeat Violation (2nd) \$1,000 fine + remediation

Owner's Remediation Response: (it is incumbent on the Owner to advise the Committee in writing of remediation per below. Absent receipt of an Owner response as to the status prior to the specified date of remediation, a repeat NONC will be issued and progressive fines will apply.)

Action Taken: _____

Fine Amount Enclosed: \$ _____

Signed: (Owner or Authorized Representative) _____ **Date:** _____



[Architectural Control Committee of the Denver Technological Center]
[Design Control Committee of Regency West Denver Tech Center]

FORM 8

PUBLIC RECORD NOTICE OF VIOLATION

To: Clerk and Recorder, [City and County of Denver] [County of Arapahoe]

The real property located in the [City and County of Denver] [County of Arapahoe], State of Colorado, more particularly described on Exhibit A attached hereto and by this reference incorporated herein (the "Property"), is subject to the following Declaration of Protective Covenants ("Covenants"):

Denver Technological Center recorded on March 15, 1982, in Book 2550 at Page 82 of the real property records of the City and County of Denver, State of Colorado, and recorded on March 15, 1982 in Book 3592 at Page 324 of the real property records of the County of Arapahoe, State of Colorado, as supplemented and/or amended.

Regency West Denver Tech Center recorded on June 5, 1986 at Reception # 077722 of the real property records of the City and County of Denver, State of Colorado, as supplemented and/or amended.

The Architectural Control Committee of DTC or the Design Control Committee of Regency West DTC, as appropriate, ("Committee"), as established and empowered pursuant to the Covenants, hereby gives notice that (a) as of _____, 20____, the Property was in violation of the Covenants as a result of _____,

(b) the Committee has imposed fines for that violation in the amount of \$_____, none of which have been paid,

(c) the fines will continue to accrue at the rate of \$250 per day from and after _____, 20____, until the violation is remedied and the fines are paid, and (d) this Public Record Notice of Violation is being placed of record in the real estate records of the County in which the Property is located. Also, the Committee reserves the right to take further remedial action with respect thereto as set forth in the Covenants.

[ARCHITECTURAL CONTROL COMMITTEE]

[DESIGN CONTROL COMMITTEE]

By: _____

Raymond A. Bullock, Chairman

STATE OF COLORADO)

) ss:

COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Raymond A. Bullock as Chairman of the [Architectural Control Committee of the Denver Technological Center] [Design Control Committee of Regency West DTC].

Witness my hand and official seal.

My commission expires: _____

By: _____

Notary Public

6380 S. Fiddlers Green Circle* Suite 400* Greenwood Village, CO 80111

Phone: 303-773-1700 / fax: 303-740-6954

Email: design&development@sheaproperties.com

Website: www.dtcmeridian.com

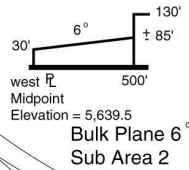
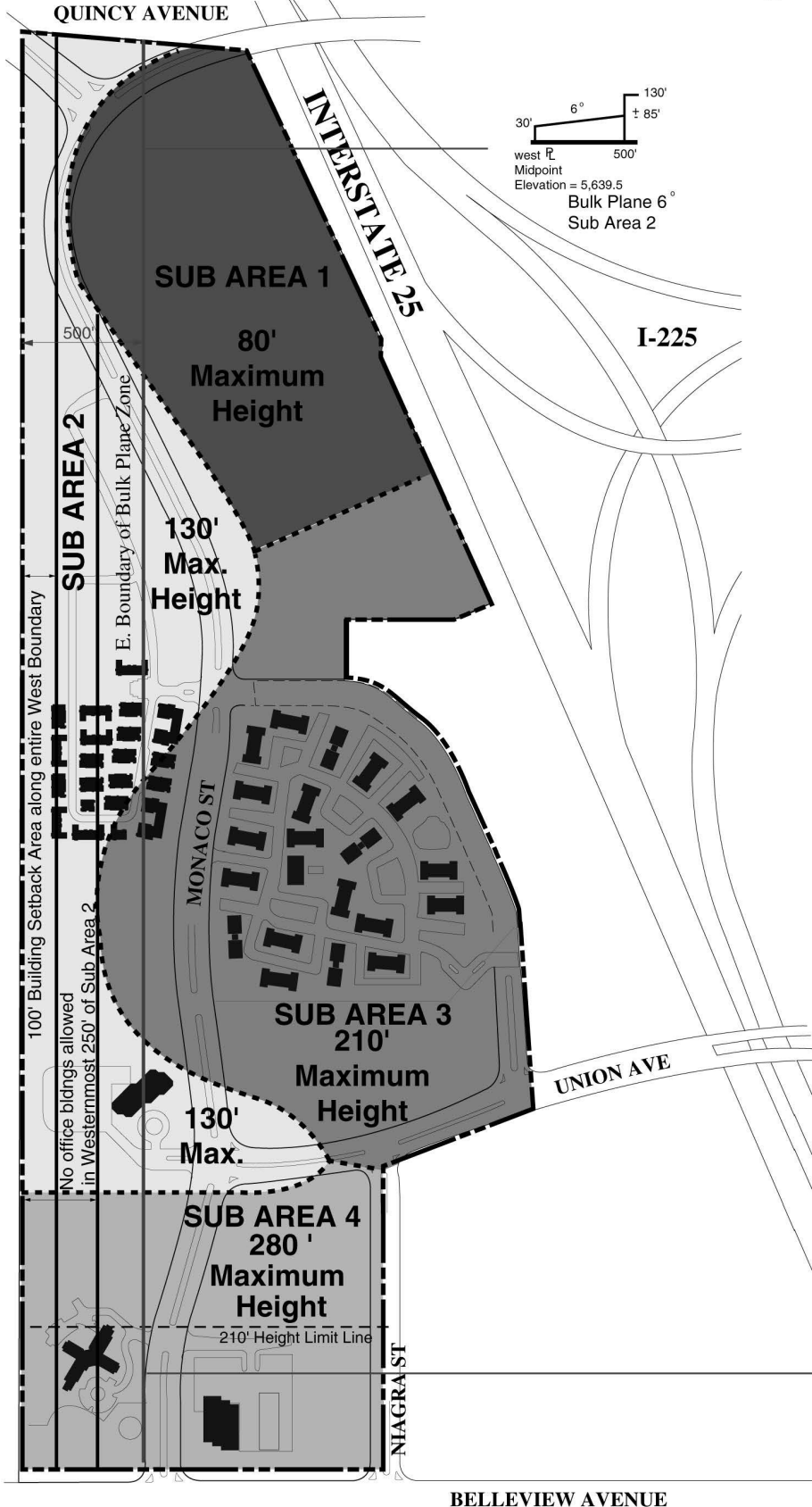
Exhibits Index

1. Zoning
 - A. 1. DTC West Area Zoning
 2. DTC West Area Zoning Height Allowances
 - B. DTC Zoning
2. Streetside Parking Setback / Screening Requirements
3. Master Plan
 - A. Land Use Plan
 - B. Drainage
 - C. Accessibility
 - D. Water and Sanitary Sewer
 - E. Gas and Electric
 - F. Telecommunications
4. Street Tree Requirements
5. Temporary Sign Details
6. Retaining Wall Requirements
7. Construction Site Logistics Checklist

DTC West Area Zoning

EXHIBIT 1A

1 of 2



PERMITTED USE AND DENSITY

(GFA In Sq. Ft.)

SUB AREA 1

Office	700,000
Residential	775,000
Retail	50,000
Hotel	0
Maximum Permitted	1,050,000

SUB AREA 2

Office	200,000
Residential	650,000
Retail	50,000
Hotel	0
Maximum Permitted	650,000

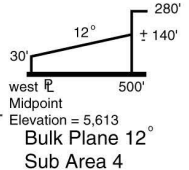
SUB AREA 3

Office	1,000,000
Residential	1,475,000
Retail	150,000
Hotel	500,000
Maximum Permitted	1,600,000

SUB AREA 4

Office	1,200,000
Residential	225,000
Retail	100,000
Hotel	500,000
Maximum Permitted	1,200,000

Total	
Maximum Permitted	
All Sub Areas	4,500,000

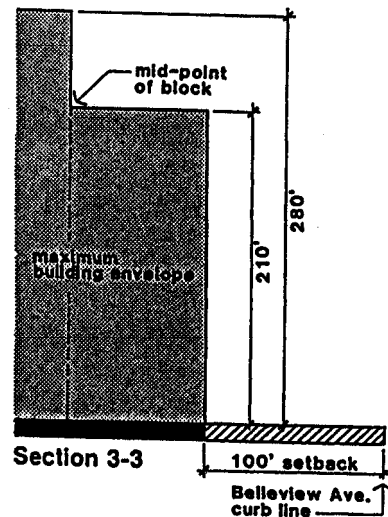
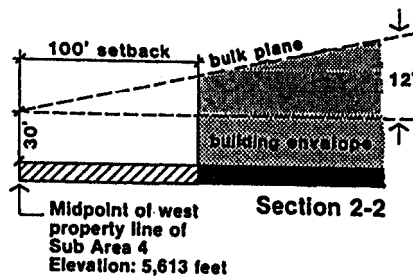
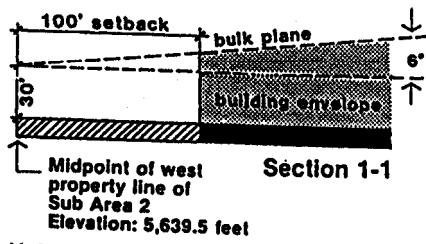
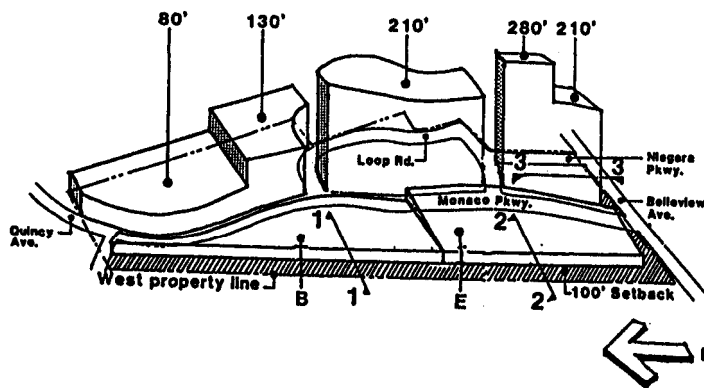


Zoning administered in accordance with City and County of Denver Zoning Regulations and Zoning Ordinance #655 (1981)

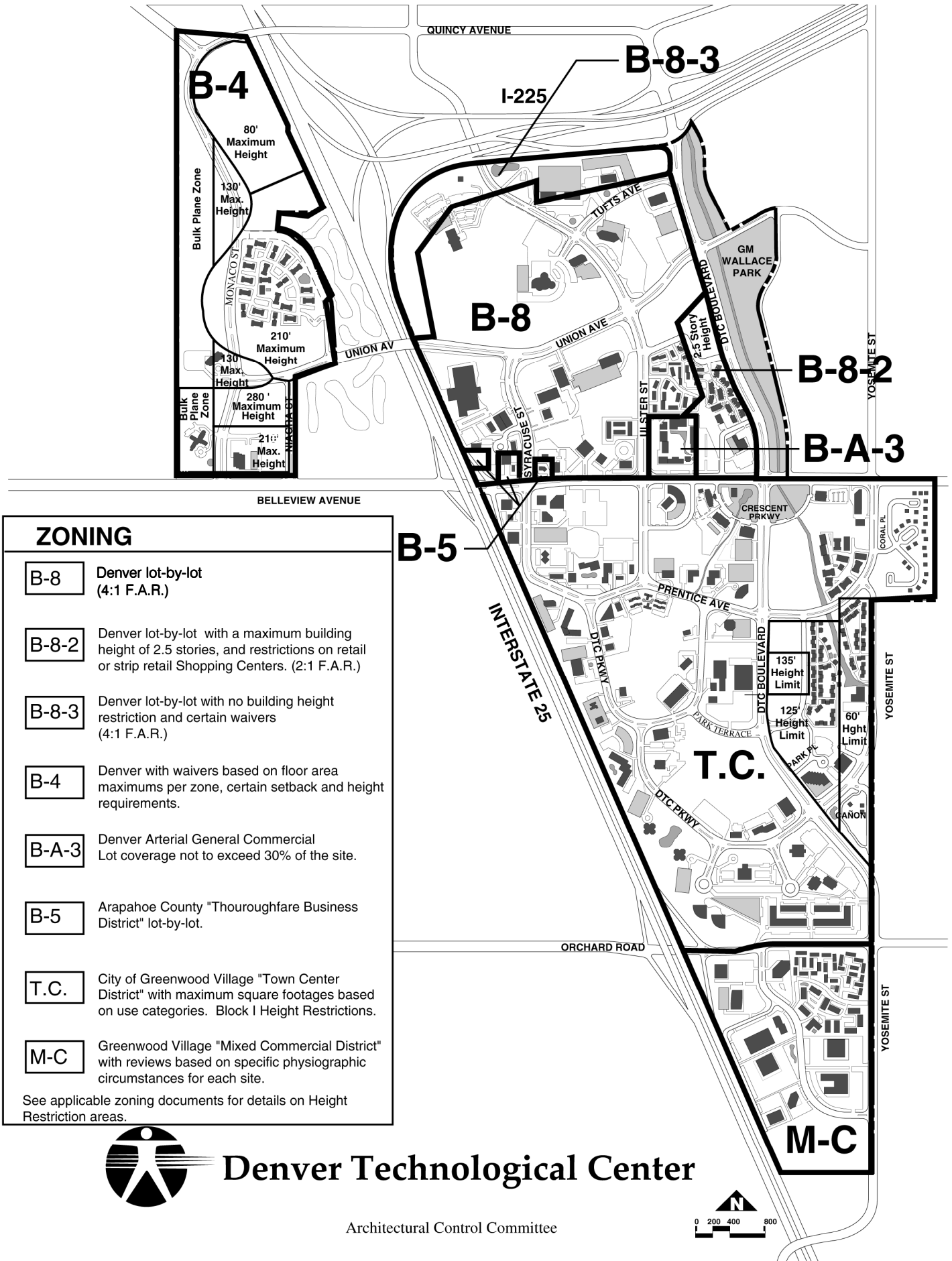
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DTC West Area Zoning Height Limits

The following diagram illustrates the bulk plane height limit in both sub areas where it is pertinent as well as an overall interpretation of practical heights based on the governing zoning ordinance for the land area west of I-25.



Height Limitations



ZONING

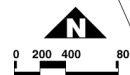
- B-8** Denver lot-by-lot (4:1 F.A.R.)
- B-8-2** Denver lot-by-lot with a maximum building height of 2.5 stories, and restrictions on retail or strip retail Shopping Centers. (2:1 F.A.R.)
- B-8-3** Denver lot-by-lot with no building height restriction and certain waivers (4:1 F.A.R.)
- B-4** Denver with waivers based on floor area maximums per zone, certain setback and height requirements.
- B-A-3** Denver Arterial General Commercial Lot coverage not to exceed 30% of the site.
- B-5** Arapahoe County "Thoroughfare Business District" lot-by-lot.
- T.C.** City of Greenwood Village "Town Center District" with maximum square footages based on use categories. Block I Height Restrictions.
- M-C** Greenwood Village "Mixed Commercial District" with reviews based on specific physiographic circumstances for each site.

See applicable zoning documents for details on Height Restriction areas.



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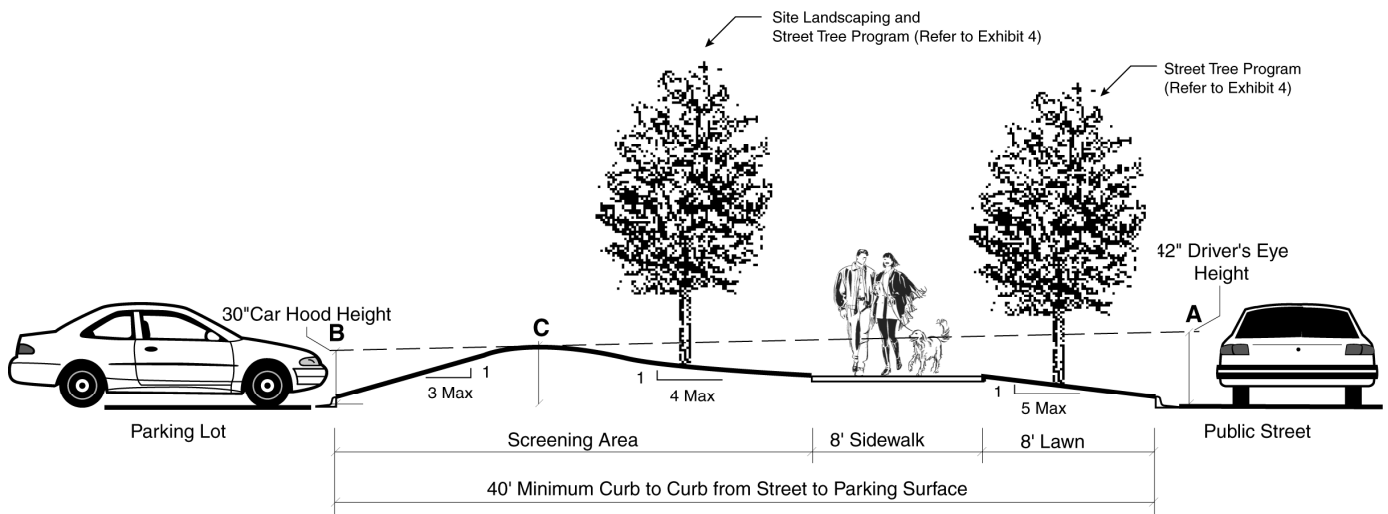
Architectural Control Committee



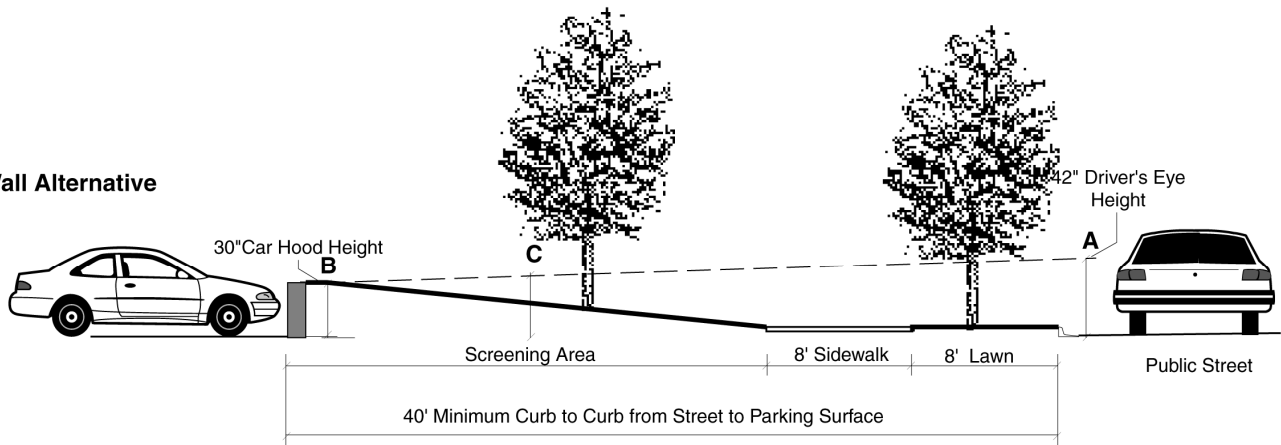
Streetside Parking Setbacks and Screening

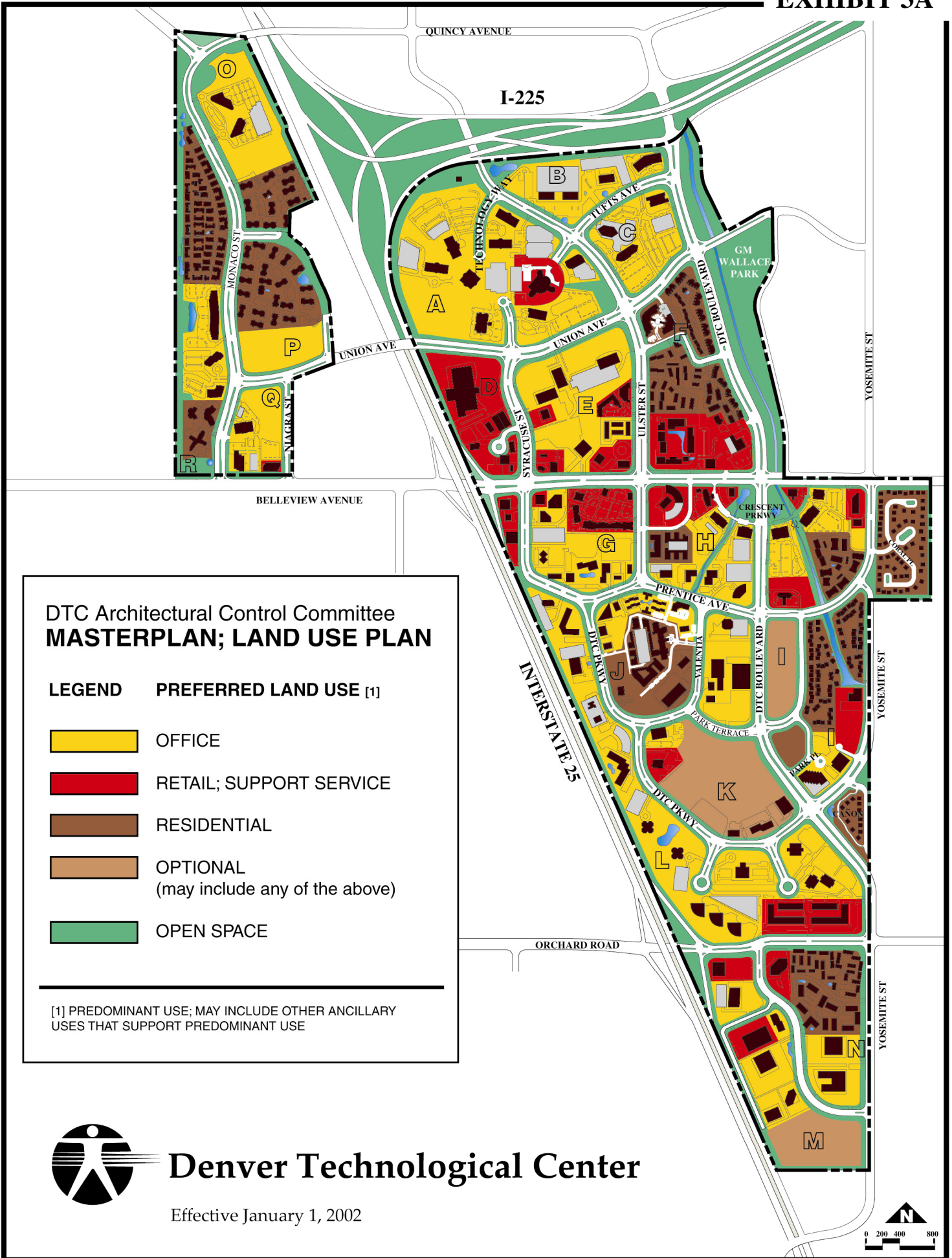
Parking areas must be screened visually from adjacent roadways. This must be accomplished by a physical (berm or wall) barrier, supplemented by landscaping per the exhibit below. The berm or wall height must be sufficient to provide a visual barrier on sight line A-B; Point A is 42 inches above the street gutter line; Point B is 30 inches above the parking area gutter line; Generally, C should be at or above the A-B sight line. Landscaping may be used only above this point.

All parkways are required to have a minimum lawn area of eight feet behind the curb, followed by an eight foot wide concrete sidewalk, except along South Monaco Street, where the sidewalk meanders from a minimum of 8 feet to a maximum of 15 feet behind the curb. Where parking does not abut a street, minimum parking setbacks will be 15 feet.








Wall Alternative





DTC Architectural Control Committee
MASTERPLAN; LAND USE PLAN

LEGEND	PREFERRED LAND USE [1]
	OFFICE
	RETAIL; SUPPORT SERVICE
	RESIDENTIAL
	OPTIONAL (may include any of the above)
	OPEN SPACE

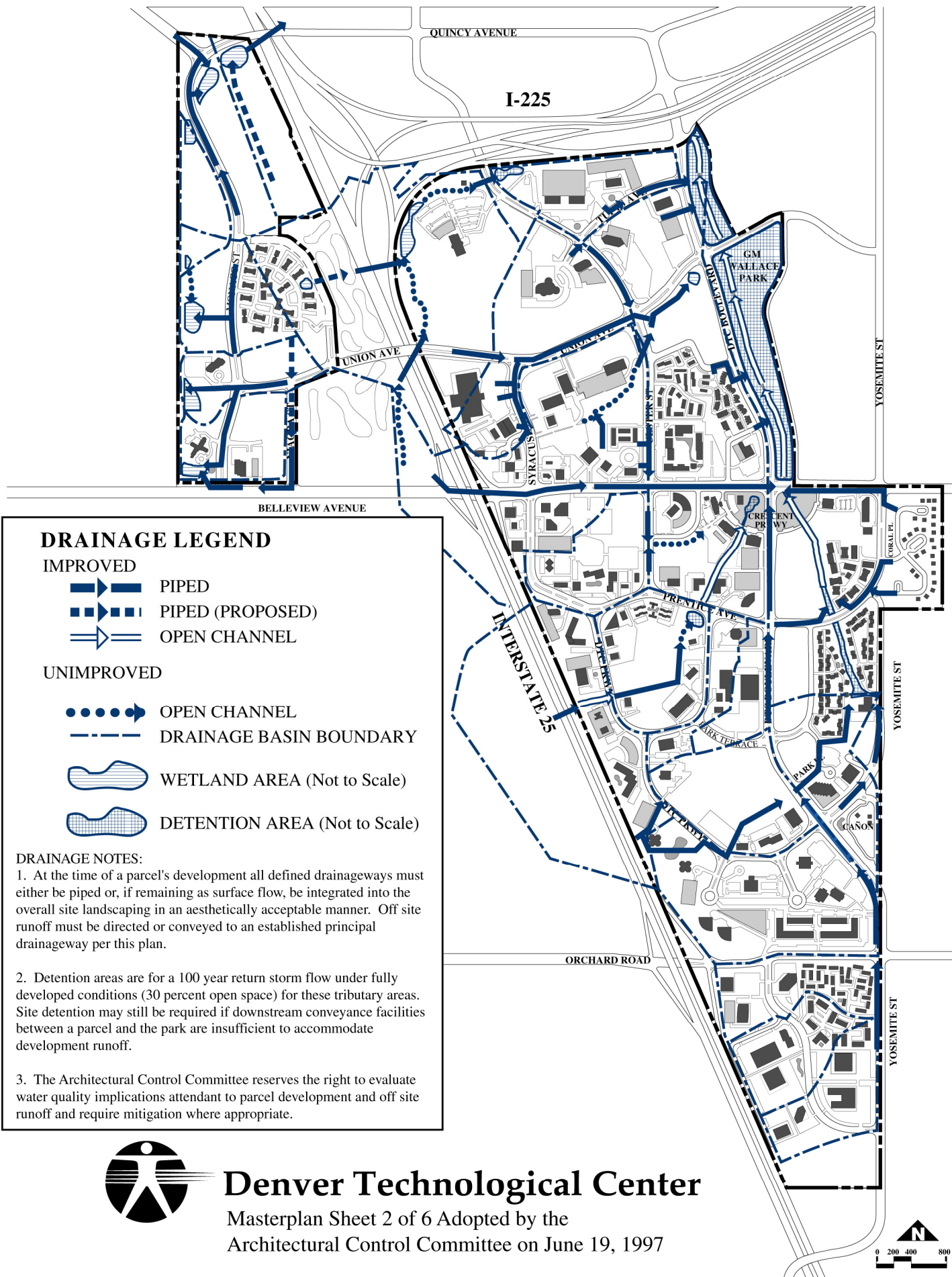
[1] PREDOMINANT USE; MAY INCLUDE OTHER ANCILLARY USES THAT SUPPORT PREDOMINANT USE



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Effective January 1, 2002






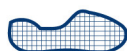


DRAINAGE LEGEND

IMPROVED

-  PIPED
-  PIPED (PROPOSED)
-  OPEN CHANNEL

UNIMPROVED

-  OPEN CHANNEL
-  DRAINAGE BASIN BOUNDARY
-  WETLAND AREA (Not to Scale)
-  DETENTION AREA (Not to Scale)

DRAINAGE NOTES:

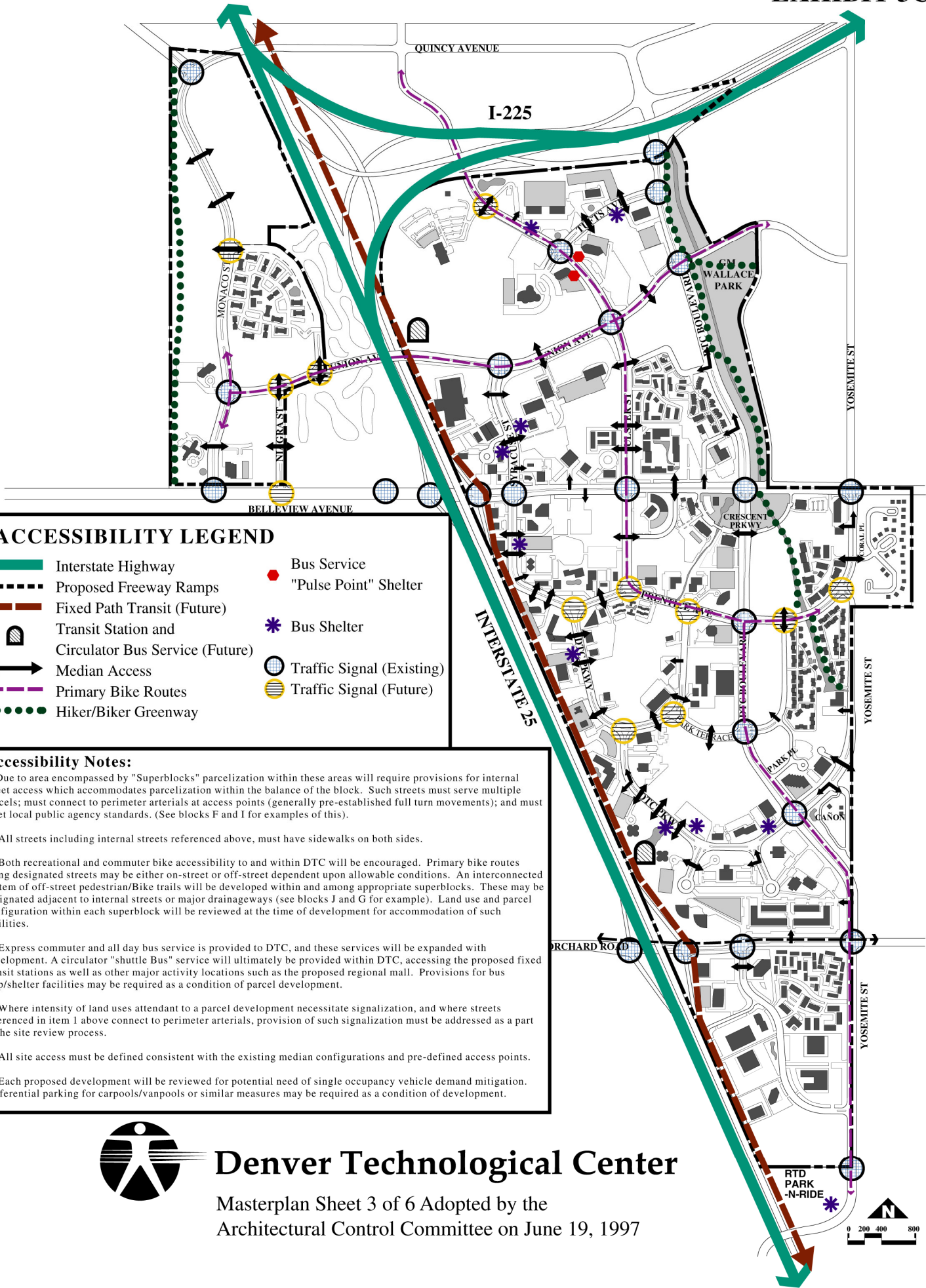
1. At the time of a parcel's development all defined drainageways must either be piped or, if remaining as surface flow, be integrated into the overall site landscaping in an aesthetically acceptable manner. Off site runoff must be directed or conveyed to an established principal drainageway per this plan.
2. Detention areas are for a 100 year return storm flow under fully developed conditions (30 percent open space) for these tributary areas. Site detention may still be required if downstream conveyance facilities between a parcel and the park are insufficient to accommodate development runoff.
3. The Architectural Control Committee reserves the right to evaluate water quality implications attendant to parcel development and off site runoff and require mitigation where appropriate.



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Masterplan Sheet 2 of 6 Adopted by the
Architectural Control Committee on June 19, 1997





ACCESSIBILITY LEGEND

- Interstate Highway
- Proposed Freeway Ramps
- Fixed Path Transit (Future)
- Transit Station and Circulator Bus Service (Future)
- Median Access
- Primary Bike Routes
- Hiker/Biker Greenway
- Bus Service
- "Pulse Point" Shelter
- Bus Shelter
- Traffic Signal (Existing)
- Traffic Signal (Future)

Accessibility Notes:

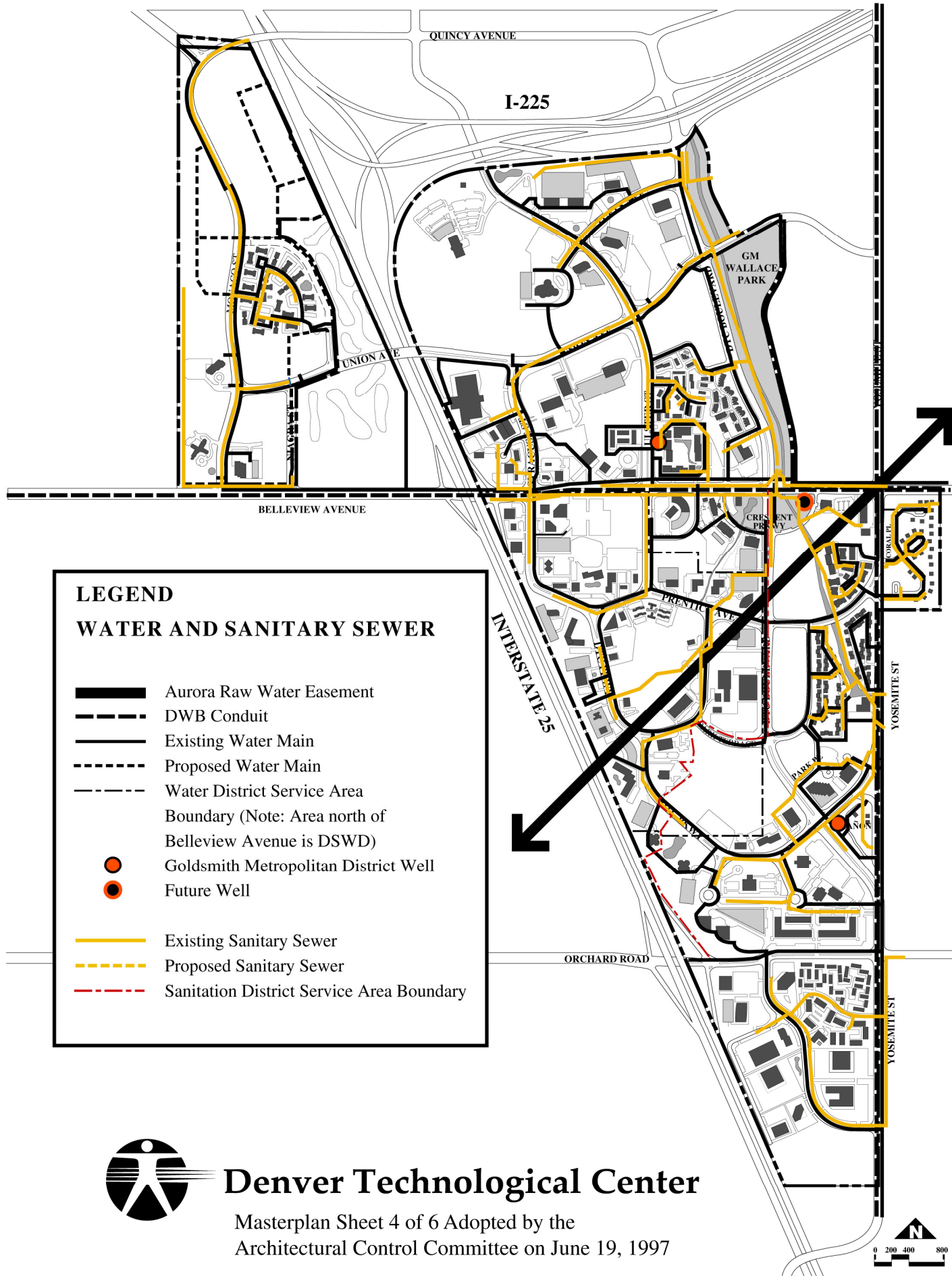
1. Due to area encompassed by "Superblocks" parcelization within these areas will require provisions for internal street access which accommodates parcelization within the balance of the block. Such streets must serve multiple parcels; must connect to perimeter arterials at access points (generally pre-established full turn movements); and must meet local public agency standards. (See blocks F and I for examples of this).
2. All streets including internal streets referenced above, must have sidewalks on both sides.
3. Both recreational and commuter bike accessibility to and within DTC will be encouraged. Primary bike routes along designated streets may be either on-street or off-street dependent upon allowable conditions. An interconnected system of off-street pedestrian/Bike trails will be developed within and among appropriate superblocks. These may be designated adjacent to internal streets or major drainageways (see blocks J and G for example). Land use and parcel configuration within each superblock will be reviewed at the time of development for accommodation of such facilities.
4. Express commuter and all day bus service is provided to DTC, and these services will be expanded with development. A circulator "shuttle Bus" service will ultimately be provided within DTC, accessing the proposed fixed transit stations as well as other major activity locations such as the proposed regional mall. Provisions for bus stop/shelter facilities may be required as a condition of parcel development.
5. Where intensity of land uses attendant to a parcel development necessitate signalization, and where streets referenced in item 1 above connect to perimeter arterials, provision of such signalization must be addressed as a part of the site review process.
6. All site access must be defined consistent with the existing median configurations and pre-defined access points.
7. Each proposed development will be reviewed for potential need of single occupancy vehicle demand mitigation. Preferential parking for carpools/vanpools or similar measures may be required as a condition of development.



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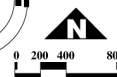
Masterplan Sheet 3 of 6 Adopted by the Architectural Control Committee on June 19, 1997

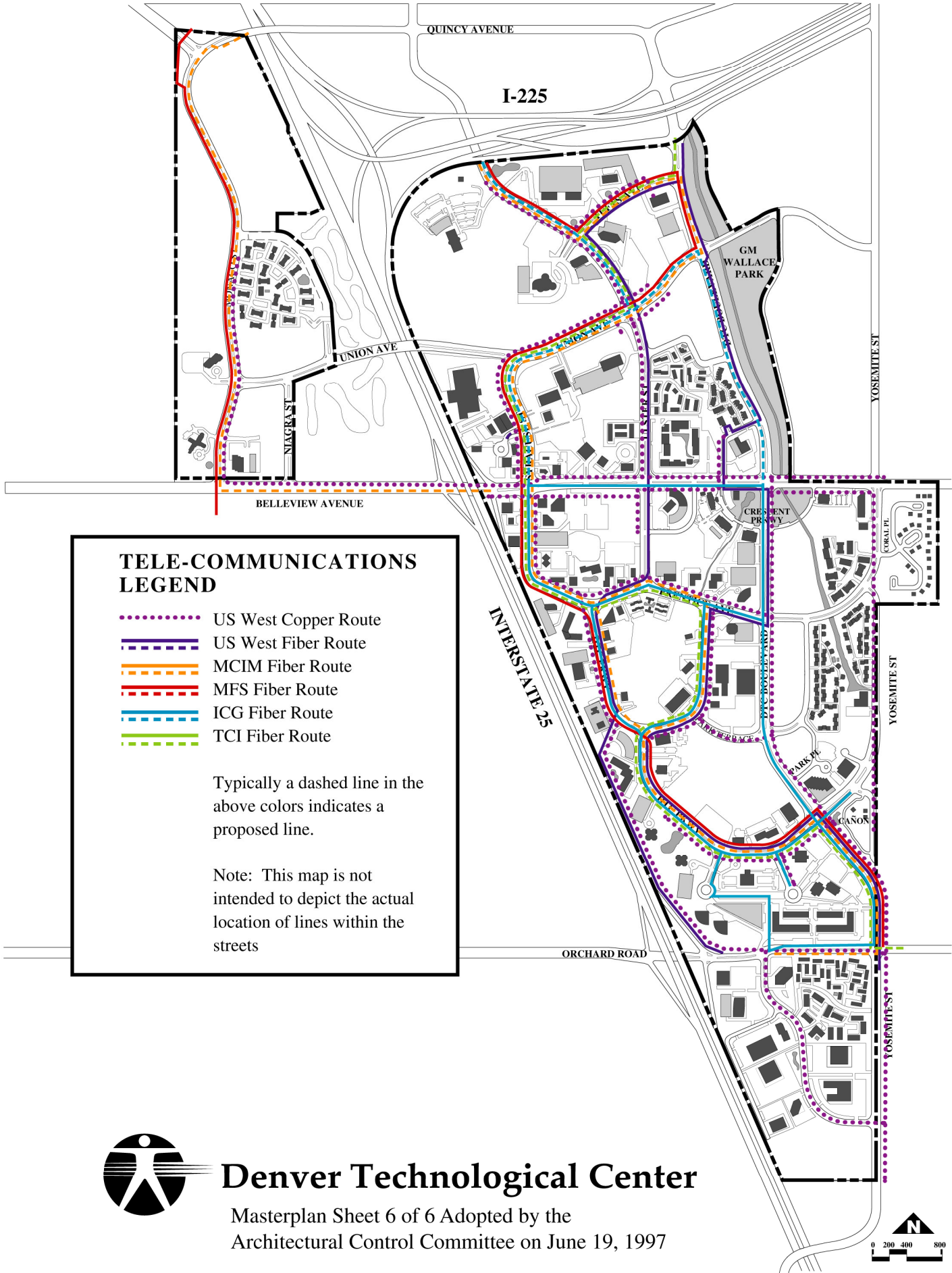




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Masterplan Sheet 4 of 6 Adopted by the
 Architectural Control Committee on June 19, 1997





**TELE-COMMUNICATIONS
LEGEND**

- US West Copper Route
- US West Fiber Route
- MCIM Fiber Route
- MFS Fiber Route
- ICG Fiber Route
- TCI Fiber Route

Typically a dashed line in the above colors indicates a proposed line.

Note: This map is not intended to depict the actual location of lines within the streets



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Masterplan Sheet 6 of 6 Adopted by the
Architectural Control Committee on June 19, 1997

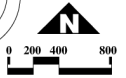


EXHIBIT 4

Street Tree Requirements

Street	Tree Species
Bellevue Avenue**	Patmore Ash (front row), Linden (back row)
Berry Avenue	Redmond Linden
Block A, Internal Roads	Seedless Green Ash
DTC Boulevard**	Autumn Purple Ash
DTC Parkway	Marshall Seedless Ash
I-25 / I-225	Marshall Seedless Ash/Ponderosa Pine
I-225 (400 feet east and west of Ulster)	Greenspire Linden
Loop Road	Moraine Honeylocust
Monaco Street	Masterplan available from ACC Staff
Niagara Street	Moraine Honeylocust
Orchard Road**	Littleleaf (Greenspire) Linden (Double Row)
Park Court	Ohio Buckeye
Park Place	Marshall Seedless Ash
Park Place, Cul-de-Sac	Ohio Buckeye
Park Terrace Avenue (Block K)	Marshall Seedless Ash
Park Terrace Avenue (Block I)	Patmore Ash
Prentice Avenue	American Linden
Prentice Avenue (Block I)	Patmore Ash
Syracuse Street	Marshall Seedless Ash
Tufts Avenue	Marshall Seedless Ash
Ulster Circle East and West	Ohio Buckeye
Ulster Street	American Linden
Union Avenue	Summit Ash
Valentia Way	Summit Ash
Yosemite Street	Patmore Ash

Tree Specifications

Tree Species	Spacing	Size
American Linden	40' o.c.	2.5" caliper
Autumn Purple Ash	40' o.c.	2.5" caliper
Bur Oak	40' o.c.	3" caliper
Greenspire Linden	40' o.c.	3" caliper
Marshall Seedless Ash*	40' o.c.	2.5" caliper
Moraine Honeylocust	40' o.c.	3" caliper
Ohio Buckeye	30' o.c.	3" caliper
Ponderosa Pine	15' o.c.	14' high
Redmond Linden	40' o.c.	2.5" caliper

Note: Streets in DTC West utilize an informal landscape program

* at I-25 & I-225 locations, spacing shall be 17' o.c., size 2.5" caliper

** Double Row, offsetting, each side of the sidewalk

Temporary Sign Details

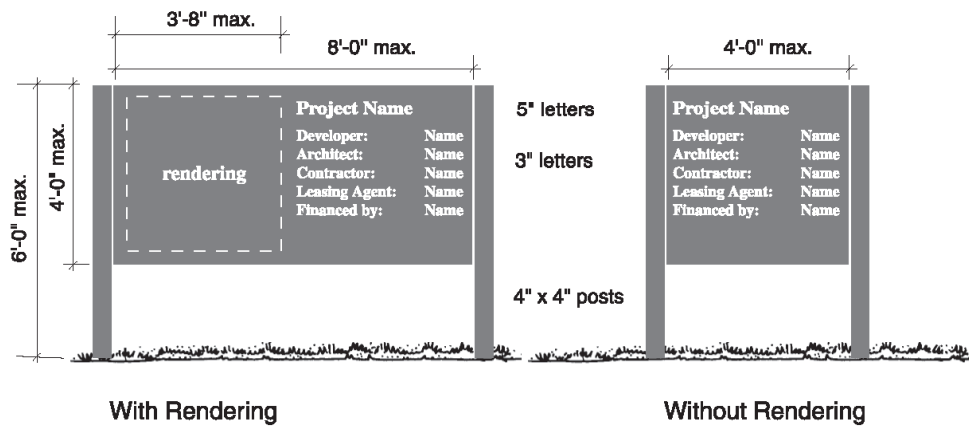
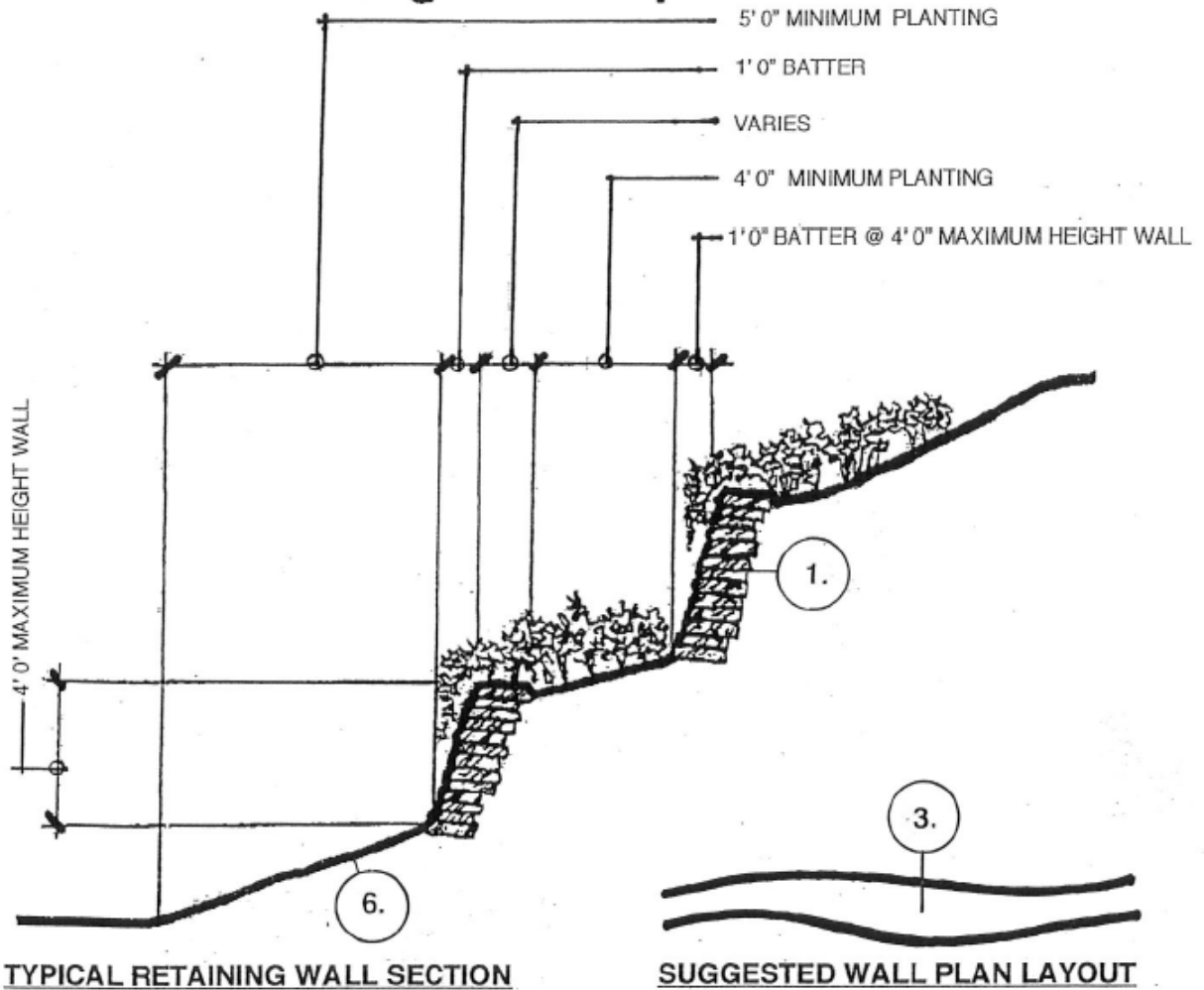


Figure 1: Project Announcement Sign



Figure 2: Leasing Signs (Must be dark brown with white letters)

Retaining Wall Requirements



NOTES

1. COLORADO BUFF SANDSTONE IN ASHLER PATTERN REQUIRED FOR ALL RETAINING WALLS. EXPOSED STRUCTURAL CMU WALLS NOT ALLOWED.
2. APPLICANT IS RESPONSIBLE FOR PROPER DRAINAGE SYSTEM AND STABLE SOILS CONDITIONS FOR STONE BEARING AT RETAINING WALLS.
3. FORM PLACES FOR TREES AND VERTICAL SHRUBS BETWEEN MULTIPLE WALLS, AVOID LONG LENGTHS OF PARALLEL WALLS.
4. IF AN APPLICANT WISHES TO USE A REINFORCED CONCRETE FOOTING AND STRUCTURAL BACKUP WALL AT A RETAINING WALL CONDITION. THE COMMITTEE WILL APPROVE THIS SYSTEM ONLY IF THE EXPOSED CONCRETE IS COMPLETELY COVERED WITH THE REQUIRED COLORADO BUFF SANDSTONE IN AN ASHLER PATTERN. IT WILL BE THE APPLICANT'S SOLE RESPONSIBILITY TO PROVIDE PROPER ENGINEERING DESIGN FOR THE CONCRETE FOOTINGS, BACKUP WALL AND DRAINAGE SYSTEM REQUIRED FOR THE FINISHED WALL.
5. VARY SPACES BETWEEN MULTIPLE WALLS TO CREATE INTERESTING PLACES FOR TREES AND VERTICAL SHRUBS
6. PLANTING AREA SLOPES:
 3:1 IS THE PREFERRED SLOPE
 2:1 IS AN ACCEPTABLE SLOPE, IF PROPER LANDSCAPE MATERIALS FOR STABILITY AND MAINTENANCE ARE SPECIFIED.

