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SECTION 1 PUD PROJECT INTENT

TERMS NOT DEFINED IN THIS SECTION 1 SHALL BE DEFINED IN ACCORDANCE WITH THE TERMS AND DEFINITIONS IN SECTION 13 OF THIS PUD.

1.1 INTRODUCTION

This is the second amendment to two P.U.D. plans - the Preble Creek P.U.D. Plan and Preliminary Plat approved March 3, 2003 and the Anthem West P.U.D. and Preliminary Plat dated April 28, 2006. This amendment to both P.U.D. Plans and Preliminary Plats comprises approximately 935 acres more or less the legal description of which is set forth on Sheets 7 – 14 of the NORTH PARK PUD Plan and Preliminary Plat. This amendment completely supersedes the prior approved PUD Plans and Plats for those portions of property affected by this amendment.

THE PURPOSE OF THIS AMENDMENT IS TO:

- A. Substantially revise Districts 1, 2, 3 and 6 with regard to land uses and roadway layouts to better promote an urban walkable mixed-use development, and rename the Districts as Parcels and Subparcels.
- B. Allow for flexibility in land use locations.
- C. Change the name of the amended portion of the Preble Creek PUD and the Anthem West PUD to the NORTH PARK PUD.
- D. Refine and improve the Design Standards.
- E. Provide for NORTH PARK DRC review of Development Projects for compliance with Design Standards of the PUD and Private Design Guidelines.

This Supplemental Binder, “Binder” is hereby incorporated as part of the PUD. Section 1 of the Binder covers general information, project intent, land uses, and in Appendix 1-2, General Conditions of Development which apply to the entire PUD. Sections 2, 3, 4 and 5 provide detailed information specific to each Parcel including descriptions of each Parcel’s

location, size, existing and proposed land uses and any specific conditions imposed upon the Parcel or Subparcels. Sections 6 through 10 include specific Design Standards applicable to all Development within the PUD. Section 11 includes graphic maps of the PUD Parcels, land use tables and maximum densities and residential units for the PUD. Section 12 of the PUD sets forth the regulations and procedures by which the uses are to be developed. Section 13 lists all relevant definitions used in the PUD and Section 14 includes relevant reports and appendices. Section 15 includes a list of variations from the Broomfield Municipal Code. Section 16 sets forth the Planned Sign Program.

1.1.1 OVERVIEW AND RELATIONSHIP TO ADOPTED CITY PLANS

The I-25 SUB AREA PLAN was completed in 1999 by Broomfield and adopted by reference in the Comprehensive Plan. The I-25 Sub-Area Plan incorporates comprehensive design standards for Development and provides vision and direction for future Development within the plan area. The PUD has used the I-25 Sub-Area Plan as a major guide and resource in its planning of high quality Development consistent with the expectation of all properties within the Gateway District boundaries of the I-25 Sub-Area Plan.

The PUD has been prepared concurrently with the master planning process for the surrounding developments which comprise the I-25 Sub-Area Plan. The PUD represents an effort to directly refine Broomfield’s vision for high quality Development of residential, retail, office and commercial uses in a series of mixed use “urban centers” which supplement the significant employment uses within the PUD and on adjacent parcels and acts as a major hub for the larger region.



1.1.2 VESTED PROPERTY RIGHTS

Approval of this site specific development plan creates a vested property right pursuant to Section 24-68-103, C.R.S as authorized in accordance with Section 16-40-070(B) of the Broomfield Municipal Code and Ordinance No. 1893 approving the extended vested period. This site specific development plan is subject to all conditions of approval imposed by the Broomfield City Council pursuant to the North Park PUD Amended and Restated Managed Growth and Development Agreement between the City and County of Broomfield and the Developer.

1.1.3 URBAN CENTER CONCEPT

The PUD is planned as a vibrant urban district with a series of centers or core areas and overall includes a balance of retail, restaurant, entertainment, office, research, hotel, medical, residential, cultural, recreational and other mixed uses. Planning concepts prioritize pedestrian walkability and connectivity and organize the PUD within an urban grid pattern of streets and diverse land uses focused on a central linear amenity corridor.

Consistent with the intent of the Broomfield “Community Vision” as outlined in the I-25 Sub Area Plan, the PUD: a) supports the potential of a transit center along I-25 south of Hwy 7 with the proposed urban center concept; b) provides for a variety of mixed high quality land uses supported by existing and proposed regional transportation networks to maximize economic opportunities; c) creates a contiguous system of open lands, park and urban public spaces providing recreation opportunities and pedestrian-oriented circulation; and d) creates a hierarchy of land use types beginning with high densities along the I-25 corridor.

Appendix 1-1 at the end of this section is a Conceptual Land Use Master Plan included to better visually portray the Urban Center Concept.

1.1.4 PROJECT INTENT

PUD COMMUNITY PRINCIPLES AND DESIGN DRIVERS

ESTABLISH A WORLD CLASS RESEARCH AND CORPORATE CENTER IN COLLABORATION WITH BOTH THE PUBLIC AND PRIVATE SECTORS.

DESIGN DRIVERS:

- Create an inspiring environment for researchers to collaborate.
- Provide the amenities these users could want within the community.

CREATE AN IDENTITY AND A SENSE OF PLACE

DESIGN DRIVERS:

- Provide a balance and mix of land uses serving both the neighborhood and region.
- Establish vibrant and authentic pedestrian oriented Mixed Use Town and Village Centers.
- Highlight the organizing amenity feature of the central linear greenway providing the urban nature experience for the community.
- Create a unique and noticeable quality experience along I-25 and Northwest Parkway that positively reflects the character of Broomfield.
- Become the “central business district” hub for the Greater North Denver Region.
- Be a gateway to Broomfield from the Northern Colorado communities.
- Celebrate the views to the mountain backdrop in the context of the prairie setting.

**ESTABLISH A STRONG RELATIONSHIP WITH THE CITY AND COUNTY OF BROOMFIELD, AND THE REGION****DESIGN DRIVERS:**

- Be part of Broomfield, but with a regional benefit and influence.
- Be the model and anchor for future development in this area.
- Provide meaningful pedestrian and bicycle links within the PUD and to other Broomfield regional trails, parks, neighborhoods and commercial areas.

STIMULATE ECONOMIC AND SOCIAL VITALITY**DESIGN DRIVERS:**

- Establish NORTH PARK as the destination of choice to live, work, research and play in Colorado.
- Add value to NORTH PARK and the Broomfield community through land use and development decisions.
- Emphasize the active and healthy, yet relaxing lifestyle and culture that Colorado is known for.

PROMOTE SUSTAINABILITY THROUGH ECOLOGICAL STEWARDSHIP AND ENVIRONMENTALLY RESPONSIVE DEVELOPMENT PRACTICES**DESIGN DRIVERS:**

- Establish a strong and lasting relationship with NORTH PARK's environmental assets.
- Implement sustainable principles throughout the property.
- Promote sustainable Development practices through education, Development requirements, and design guidelines.
- Leverage transit potential throughout the project.

1.1.5 DEVELOPMENT DESIGN STANDARDS

Design Standards for Development of both private and public areas of the PUD are contained in Sections 6 through 10 of this Binder. The Design Standards shall be used by Broomfield and the NORTH PARK DRC to evaluate Development Projects within the PUD. Please see Section 12 for a description of the NORTH PARK DRC's role in the approval of a Development Project within the PUD. The Design Standards are consistent with Broomfield's adopted I-25 Sub Area Plan.

The NORTH PARK DRC will adopt Private Design Guidelines that will provide additional tools to ensure quality Development. The Private Design Guidelines will be similar in nature to the Centerra Design Guidelines attached as Appendix 1-3. The Private Design Guidelines will be privately enforced by the NORTH PARK DRC.

1.1.6 OMISSIONS AND DEVIATIONS FROM THE BMC

This PUD varies many provisions of Chapters 14, 16 and 17 of the BMC and such variations have been approved pursuant to BMC Section 17-38-020(C) through Broomfield's approval of the PUD. The list of variations is provided in Section 15.

1.1.7 SUPPLEMENTAL ENGINEERING REPORTS

Preliminary drainage, utility, soils and Traffic Studies have been prepared for the PUD and are on file with Broomfield and are incorporated herein by this reference. For conceptual utility and grading information see Map 3 of 9 in Section 11.

1.1.8 SUSTAINABILITY STRATEGIES

To promote the Development of a sustainable community the Developer will create a Private Sustainability Plan for the PUD. Though not a part of this PUD, the Sustainability Plan will be separately



implemented by the Developer and the Design Review Committee (DRC) and will address at a minimum the following:

Energy – Efficiency and use in the buildings and the horizontal Infrastructure, renewables and new technologies.

Water – Efficiency, use and conservation in both buildings and the horizontal Infrastructure.

Solid Waste and Recycling – During construction and operational phases.

Transportation – Mobility options, reducing trips, connectivity and mixed land uses.

Green Building – Applicability of industry standards (LEED, Energy Star, etc.).

Natural Resources – Habitat diversity and enhancement, wildlife, storm water quality and open space.

Community Life – Education, events, activities and programs.

It is the responsibility of the applicant to demonstrate to Broomfield that every Development Project complies with the land uses and Design Standards in the PUD.

OVERALL PUD AND DEVELOPMENT SUMMARY

TOTAL AREA	935.4 ACRES
Mixed Use Area	616.39 acres
Corporate & Research Area	152 acres
Open Lands	145.01 acres
Rights-of-Way	22 acres
Maximum Residential (Multi-Family and Single Family Attached, and Single Family Detached where permitted in PUD)	6,205 Dwelling Units
Gross Density	6.6 units/acre
Maximum Non-Residential Building Area	17.2 million sq ft
Gross FAR	.42

The number of acres to be developed as stand-alone residential uses within the PUD shall be restricted to a maximum of 30% of the total area of the PUD.

1.2 LAND USE INFORMATION

1.2.1 OVERALL CONCEPT

The zoning for this property is defined by the PUD. The PUD provides a mechanism by which land areas can be uniquely developed to meet the needs of Broomfield, property owners, residents and Applicants and serves as an alternative to conventional zoning regulations.

Development within this PUD shall be in accordance with the review processes and timeframes contained in Section 12. The Design Standards shall apply to every Development Project within this PUD. Refer to the PUD drawings maps and the applicable Design Standards for land use types, densities, and locations of each proposed land use (see Maps 4, 5, 6 and 7 in Section 11).

1.2.2 CIRCULATION

Circulation is discussed separately in the narrative for each of the four parcels of the PUD. In addition, the Conceptual Amenities Map depicts conceptual access points and a master planned trail system within the PUD (See Map 2 in Section 11 and Section 7 for additional access and circulation information).

1.2.3 OPEN LANDS

- A. The PUD incorporates a network of open land areas, greenbelts and pedestrian trail connections that will form the basis of the open lands system (Refer to Map 2 in Section 11). These areas will be designed to interconnect the various neighborhoods and/or businesses within the PUD and to the regional trail system.



B. Open Lands are those public and private lands acquired or preserved in the public interest to provide for the conservation and protection of natural resources, physical and aesthetic enjoyment of the out-of-doors, recreational opportunities, edges to development, preservation of agricultural resources and protection of prominent geographical features and cultural resources. Open Lands shall include all public and private areas within the PUD property which are intended for use as natural drainage ways, active and passive recreation areas such as clubhouses, tennis courts, recreation facilities (including accessory uses related to the operation of the facilities such as toilet/locker rooms and parking lots), playgrounds, parks, outlots, landscaped areas,

landscaped entries, lakes, ponds, pools, bikeways, trails, sidewalks, and open irrigation facilities in a natural state. Open Lands may be owned and maintained by the Owners Association, Special District or CCOB. Open Lands include Park Lands, which are intended to provide active recreation facilities for the community. Park Lands are intended to include active facilities and will be developed offering a broad range of recreational, public gathering and cultural uses including public spaces such as green squares and plazas as detailed in Section 9 of the PUD Supplemental Binder.

Table 1-2A

OPEN LANDS CALCULATION			
<i>Minimum Requirement for North Park PUD (Subject PUD)</i>			
Open Lands Required per the Preble Creek PUD, First Amendment (PUD Approved 3/3/03)		880.17	ac.
Open Lands Provided per Anthem West PUD, generally west of the Community Ditch (PUD 1 st Amendment Approved 4/2009)		733.8	ac.
Open Lands not included in Anthem West PUD 1st Amendment or in North Park PUD		1.36	ac.
Total Open Lands Requirement for North Park PUD (Subject PUD) (Preble Creek PUD requirement, less that provided by Anthem West PUD, 880.17 – 733.8 – 1.36 = 145.01 ac.)		145.01	ac.
OPEN LANDS SUMMARY			
Notes: McWhinney CCOB Land Investments, LLC. purchased from Pulte Home Corporation approximately 71.06 acres of land within the Anthem West PUD that had been identified as Open Lands in the Anthem West PUD as follows:			
<u>CCOB1, LLC. purchased from Pulte</u>			
(Parcels previously identified as open lands in the Anthem West PUD, dated 4-28-06 and will remain open lands in the North Park PUD)			
Parcel B (portions of Tract W-01 from the Anthem West PUD)		5.90	
Parcel C (portions of Tract W-12 from the Anthem West PUD)		2.23	
Parcel D (portions of Tract W-25 from the Anthem West PUD)		2.58	
Parcel 4 (portions of Tract W-26 from the Anthem West PUD)		16.703	
Parcel 5 (portions of Tract W-28 from the Anthem West PUD)		33.108	
Parcel 7 (Tract W-27 from the Anthem West PUD)		2.663	
Parcel 9 (portions of Tract W-28 and W-32 from the Anthem West PUD)		<u>7.877</u>	
TOTAL		71.06	71.06 ac.
Notes:			
1. Parcels and acreages as identified from Jacob Carter Burgess Alta Survey (dated 7/17/08) and TST, Inc. Preliminary Plat (dated 11/5/08).			
2. See Exhibit 1 Open Lands on page 2 of the North Park PUD Plan for parcel and tract locations.			
Other Open Lands to be Identified in the North Park PUD (Subject PUD)		73.95	ac.
Total Open Lands Requirement for North Park PUD (71.06 + 73.95 ac.)		145.01	ac.



Open Lands include Open Space as defined in Chapter 1 of the CCOB OSPRT Master Plan. Those portions of drainage channels, detention facilities, ponds and lakes that meet the design criteria found in the OSPRT Master Plan in

Chapter 11 (p. 11-9 and 11-10) will be counted 100% for purposes of calculating park or open space lands to meet open lands total requirement of 145.01 acres. See Table 1-2A shown on the previous page.

C. Publicly Dedicated Open Lands

The Owner/Developer has agreed to publicly dedicate a minimum of 109.46 acres of the required 145.01 acres of total open land. The Public Land Dedication acres are proposed to be distributed approximately as follows: (See Table 1-2B). These 109.46 acres will be deeded to and owned by Broomfield. Areas eligible to meet this requirement include those described above as well as: Shared Common Areas for MUD per Sections 9.4.3, 9.5.2, and 9.6; Shared Common Areas for MUS Residential per Section 10.10.2;

and Open Area for MUD per Sections 9.4.4 and 9.5.3.

D. Other Publicly Accessible Open Lands

In addition to the 109.46 acres of Open Lands deeded to Broomfield, the PUD shall also provide a minimum of 19.31 acres of Open Land that is privately owned (could include Metro Districts, Owners’ Association or similar ownership) but will have a public access easement, as approved by Broomfield, recorded against it. Areas eligible to meet this requirement shall include the following: Shared Common Areas for MUD per Sections 9.4.3, 9.5.2, and 9.6; Shared Common Areas for MUS Residential per Section 10.10.2; and Open Area for MUD per Sections 9.4.4 and 9.5.3.

E. Private Open Lands

In addition to C and D above, the PUD shall also provide a minimum of 16.24 acres of private Open Lands that are privately owned (could include Metro Districts, Owners’ Association, individual property owners or others). Areas eligible to meet this requirement shall include

Table 1-2B

Public Land Dedication		
Description	Dedication Type	Acres
Parcel A3	Open Lands	16.35
Parcel B2	Open Lands	2.48
Parcel B3	Open Lands	3.61
Parcel B4	Open Lands or Transit Center	4.78
Parcel D1	Open Lands	40.98
Central Park	Park	8.00
Central Drainage Corridor	Open Lands	15.26
Open Land Trail Corridors	Open Lands	6.00
Open Land Buffers and Edges	Open Lands	6.00
Plazas, Squares, Greens and Pocket Parks	Park	6.00
TOTAL DEDICATION		109.46
Note: Except for Parcels A3, B2, B3, B4 and D1, the acreage identified are approximate. The total shall be not less than 109.46 acres, but the distribution and the form of open land or park may vary from this table.		



the following: Open Areas for Non-Residential per Section 6.5; Shared Common Areas for MUD per Sections 9.4.3, 9.5.2 and 9.6; Shared Common Areas for MUS Residential per Section 10.10.2; and Open Area per Sections 9.4.4 and 9.5.3.

F. Summary of the total Open Lands requirement for the North Park PUD:

Publicly Dedicated	109.46 acres
Publicly Accessible	19.31 acres
<u>Private</u>	<u>16.24 acres</u>
Total	145.01 acres

1.2.4 LAND USE COMPATIBILITY

Land use compatibility shall be accomplished through the application of the Design Standards contained in Sections 6.6, 9.3 and 10.3.

1.2.5 IMPLEMENTATION

It is anticipated that Development within the PUD will be phased over a period of at least 30 years. It is anticipated that each of the Parcels will have multiple phases.

1.3 ALLOWABLE USES WITHIN EACH LAND USE CATEGORY

Following are lists of the specific uses that are included within each of the land use categories referred to throughout this PUD. The land use categories for each Parcel and Subparcel (if applicable), together with the specification of the land use category as either a Permitted Use or a Use by Special Review, are set forth in the land use legends on Maps 4, 5, 6 and 7 in Section 11. A land use category, as a whole, may be a Permitted Use or a Use by Special Review, depending on the location of the Parcel or Subparcel and the adjacent land uses and features. Any exception to the categorization of an entire land use category as either Permitted Use or

Special Review Use is noted in parentheses following the specific use.

The land use designations used within the I-25 Sub Area Land Use Plan are consistent with those identified in the Comprehensive Plan. Minor modifications have been made for the PUD in order to better support the vision of creating a diverse mixed use community.

1.3.1 MIXED USE URBAN DISTRICT (“MUD”)

Parcels or Subparcels designated Mixed Use Urban District (“MUD”) are appropriate for horizontal and vertical mixed uses that are organized around Urban Center Cores of pedestrian scale. Uses may include employment generators, moderate to high density residential, retail, and other supporting services and amenities. Planning concepts include an urban grid pattern of walkable streets and multi-story buildings with a focus on the pedestrian experience. A rich streetscape and vibrant public realm will provide opportunities for outdoor cafés, active plazas, and other amenities. The integration of structured parking will be important to support the densities needed to create the energy of the urban district. Perimeter sites within the MUD fronting along major arterials act as areas to transition to potentially larger users and surrounding development.

A. PERMITTED USES WITHIN THE MUD INCLUDE THE FOLLOWING:

- A. Public Uses or other civic uses like libraries, postal facilities, police annex, fire stations and community centers.
- B. Places of worship, churches, synagogues, mosques, etc.
- C. Daycare facilities including daycare, pre-school, nursery school, and multi-generational facilities.
- D. Lodging including small inns, bed and breakfasts or other small scale overnight accommodations.
- E. Hotels and Motels.



- F. Conference / Convention Centers.
- G. Hospitals and Accessory Uses such as a helipad.
- H. Medical and dental offices and clinics.
- I. Spas and wellness clinics.
- J. Educational and institutional.
- K. Offices including Corporate and Professional Offices, governmental offices and other.
- L. Banks/financial institutions (drive-through permitted).
- M. Call Center.
- N. Research and Development Facilities – including offices, flex space, labs and indoor manufacturing facilities.
- O. Light Manufacturing – including flex space and any associated showroom display.
- P. Business Service Shops including office supplies, photocopy shops, insurance, real estate, travel agencies, and other.
- Q. Automotive including retail, parts, gas stations, car washes and indoor only Vehicle Minor Repair, Servicing and Maintenance facilities that do not generate objectionable noise, smoke, dust, vibration, etc. (Permitted in the General District areas and Perimeter areas but prohibited in the Urban Center Cores)
- R. Retail including but not limited fashion, furnishing, electronics, sporting goods, appliances, hardware, etc.
- S. Consignment and resale stores including clothing, furnishings, electronics up to a maximum Building size of 15,000 square feet (excludes pawn shops).
- T. Grocery stores.
- U. Pharmacies/drug stores.
- V. Restaurants, Indoor and Outdoor including serving alcoholic beverages subordinate to food.
- W. Restaurants, Fast Food
- X. Restaurants, Drive-Through. (Permitted in the General District areas and Perimeter areas but prohibited in the Urban Center Cores)
- Y. Outdoor Market.
- Z. Sidewalk sales.
- AA. Nightclubs, bars, theaters cinemas, auditoriums, events centers, entertainment where the sale and consumption of alcoholic beverages is the primary activity and live entertainment is performed after 5:00 p.m.
- BB. Physical fitness including but not limited to health clubs, gyms, dance studios, etc.
- CC. Personal Service Shops including but not limited to hair and nail salons, tailoring, shoe repair, dry cleaners, laundromats, etc.
- DD. Artisan and photography studios and galleries.
- EE. Animal Clinics Small Indoor Use and Pet Day Care Facilities with no permanent outdoor facilities.
- FF. Single Family Attached Dwelling. (Densities will comply with the appropriate land use designation category of the Comprehensive Plan).
- GG. Multi-Family Dwelling. (Densities will comply with the appropriate land use designation category of the Comprehensive Plan).
- HH. Live/Work Structure. (Densities will comply with the appropriate land use designation category of the Comprehensive Plan).
- II. Senior housing (all levels of service including Independent Living Communities, Assisted Living Facilities, Congregate Care Facilities, Nursing Care Facilities, Continuing Care Retirement Communities, etc.).
- JJ. Transit Center.
- KK. Parking lots and Parking Garage (as a Principal Use).
- LL. Wireless Telecommunications Facility / Wireless Telecommunications Services in compliance with BMC Chapter 17-35.



MM. Open Lands – Parks and recreation uses (public and private).

NN. Community gardens and greenhouses.

OO. Accessory Uses related to the above listed uses.

B. USES BY SPECIAL REVIEW WITHIN THE MUD INCLUDE THE FOLLOWING:

- A. Group Homes / Group Care Facilities
- B. Mini-storage/self-storage (within Urban Center Cores shall only be allowed if in a Mixed Use Structure)
- C. Oil and gas wells (Refer to the BMC 17-54)
- D. Outdoor Storage related to the above listed Uses by Special Review will only be allowed on a case by case basis. (Outdoor storage is prohibited in the Urban Center Cores) Development applications for Outdoor Storage shall be in accordance with the applicable review process described in Section 12.3.3 of this PUD.

1.3.2 MIXED USE – SECONDARY (“MUS”)

Parcels or Subparcels designated Mixed Use – Secondary (MUS) are appropriate for transitioning to surrounding suburban development outside the PUD and may be more horizontal than vertical mixed use. It is intended that, similar to the MUD, there will continue to be a diverse mix of uses such as office, retail and residential but at somewhat lower densities and utilizing single use Buildings. Pedestrian and roadway connectivity to the MUD areas are important to blend together with the urban fabric.

A. PERMITTED USES WITHIN THE MUS INCLUDE THE FOLLOWING:

- A. Public Uses or other civic uses like libraries, postal facilities, police annex, fire stations and community centers.
- B. Places of worship, churches, synagogues, mosques, etc.

- C. Daycare facilities including daycare, pre-school, nursery school, and multi-generational facilities.
- D. Lodging including small inns, bed and breakfasts or other small scale overnight accommodations.
- E. Hotels and Motels.
- F. Conference/ Convention Center.
- G. Hospitals and Accessory Uses such as a helipad.
- H. Medical and dental offices and clinics.
- I. Spas and wellness clinics.
- J. Educational and institutional.
- K. Offices including Corporate and Professional offices, governmental offices and other.
- L. Banks/financial institutions (drive-through permitted).
- M. Call Center.
- N. Research and Development Facilities – including offices, flex space, labs and indoor manufacturing facilities.
- O. Light Manufacturing including flex space and any associated showroom display.
- P. Business Service Shops including office supplies, photocopy shops, insurance, real estate, travel agencies, and other.
- Q. Automotive including retail, parts, gas stations, car washes and indoor only Vehicle Minor Repair, Servicing and Maintenance facilities that do not generate objectionable noise, smoke, dust, vibration, etc.
- R. Retail including but not limited fashion, furnishing, electronics, sporting goods, appliances, hardware, etc.
- S. Consignment and resale stores including clothing, furnishings, electronics up to a maximum Building size of 15,000 square feet (excludes pawn shops).
- T. Grocery Store.
- U. Pharmacies/drug stores.



- V. Restaurants, Indoor and Outdoor including serving alcoholic beverages subordinate to food.
- W. Restaurants, Fast Food.
- X. Restaurants, Drive-Through.
- Y. Outdoor Market.
- Z. Sidewalk sales.
- AA. Nightclubs, bars, theaters cinemas, auditoriums, events centers, entertainment where the sale and consumption of alcoholic beverages is the primary activity and live entertainment is performed after 5:00 p.m.
- BB. Physical fitness including but not limited to health clubs, gyms, dance studios, etc.
- CC. Personal Service Shops including but not limited to hair and nail salons, tailoring, shoe repair, dry cleaners, laundromats, etc.
- DD. Artisan and photography studios and galleries.
- EE. Animal Clinics Small Indoor Use and Pet Day Care Facilities with no permanent outdoor facilities.
- FF. Single Family Detached Dwelling. See Special Condition 2 in Appendix 2-1 for further conditions related to this use.
- GG. Single Family Attached Dwelling. (Densities will comply with the appropriate land use designation category of the Comprehensive Plan).
- HH. Multi-Family Dwelling. (Densities will comply with the appropriate land use designation category of the Comprehensive Plan).
- II. Live/Work Structure. (Densities will comply with the appropriate land use designation category of the Comprehensive Plan).
- JJ. Senior housing (all levels of service including Independent Living Communities, Assisted Living Facilities, Congregate Care Facilities, Nursing Care Facilities, Continuing Care Retirement Communities, etc.).
- KK. Transit Center.

- LL. Parking lots and Parking Garages (as a Principal Use).
- MM. Wireless Telecommunications Facility / Wireless Telecommunications Services in compliance with BMC Chapter 17-35.
- NN. Open Lands – Parks and recreation uses (public and private).
- OO. Community gardens and greenhouses.
- PP. Accessory Uses related to the above listed uses.

B. USES BY SPECIAL REVIEW WITHIN THE MUS INCLUDE THE FOLLOWING:

- A. Group Homes / Group Care Facilities.
- B. Mini-storage/self-storage.
- C. Oil and gas wells.
- D. Outdoor Storage related to the above listed Uses by Special Review will only be allowed on a case by case basis. Development applications for Outdoor Storage shall be in accordance with the applicable review process described in Section 12.3.3 of this PUD.

1.3.3 OPEN LANDS

Parcels or Subparcels designated for Open Lands Uses are appropriate for active and passive public recreation facilities for the community. Development of the sites may provide active facilities that offer a broad range of recreational and cultural uses.

A. PERMITTED USES WITHIN PARCELS OR SUBPARCELS DESIGNATED FOR OPEN LANDS USES INCLUDE:

- A. Parks and recreation facilities.
- B. Open Lands.
- C. Open Space.
- D. Transit Center, see 1.5 Use Restrictions for Subparcel B-4.

- E. For Subparcels A-3, B-2, B-3 and B-4 – signage, monumentation, landscaping, irrigation and lighting related to the PUD is permitted as a secondary use subject to design approval and concurrent approval of a Master Planned Sign Program by Broomfield. These Subparcels shall maintain a predominant “natural open space” character.

1.4 USE RESTRICTIONS IN THE WESTERN AREA OF THE PUD

The following land uses are prohibited a) within four hundred feet (400') of that portion of the western boundary of the PUD that abuts L 16 through L 24 as depicted on the NORTH PARK PUD Preliminary Plat Sheet 10 of 14 and as measured perpendicular to the boundary and b) within four hundred feet (400') of that portion of the western boundary that abuts L 33 through L 51 as depicted on the NORTH PARK PUD Preliminary Plat Sheet 10 of 14 and as measured perpendicular to the boundary:

- A. Automotive and similar service and repair uses with open bay facilities (even though the actual activities are limited to indoors).
- B. Nightclubs, bars, theaters cinemas, auditoriums, events centers, entertainment where the sale and consumption of alcoholic beverages is the primary activity and/or live entertainment is performed after 5:00 p.m.
- C. Restaurants with outdoor entertainment areas.
- D. Animal Clinics Small Indoor Use including Pet Day Care Facilities.
- E. Helipads.
- F. Transit Center (excluding bus stops).
- G. Consignment and resale stores including clothing, furnishings and electronics.
- H. Stand alone third party provider Wireless Telecommunications towers (excludes wireless facilities attached to a building and those facilities located on a Lot used to support the business activities of the tenant on the Lot).

1.5 USE RESTRICTIONS FOR SUBPARCEL B-4

On Subparcel B-4 the only use permitted is Open Lands until such time as a transit center is needed as part of a regional system. At that time, a Transit Center will be permitted. The uses below are only permitted in conjunction with a Transit Center.

- A. Transit Facility.
- B. Parking lots and Parking Garages.
- C. Accessory Uses related to the above listed uses.

At such time that Broomfield develops a Transit Center on property that has been dedicated as open lands, then Broomfield will, at its option, provide comparable open lands in another area of Broomfield.

1.6 DEVELOPMENT CONDITIONS

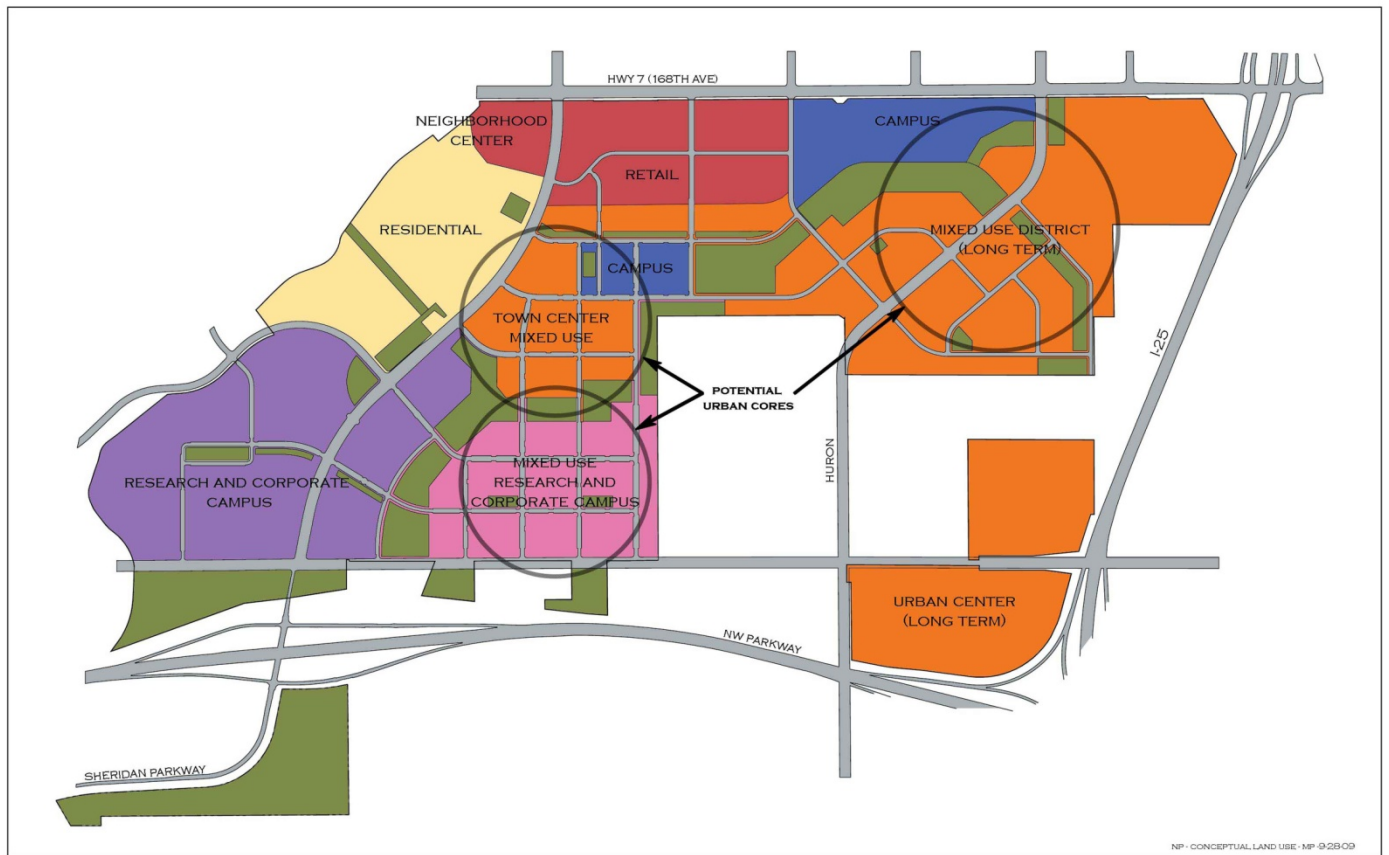
Development within the PUD shall be subject to the applicable General Conditions in Appendix 1-2 attached to this Section 1 and incorporated herein by this reference.

Development within the separate Parcels or Subparcels of the PUD shall also be subject to the applicable Special Conditions set forth as an appendix to the narrative for that Parcel in Sections 2 through 5 of the PUD.





APPENDIX 1-1
CONCEPTUAL LAND USE MASTER PLAN







APPENDIX 1-2 GENERAL CONDITIONS

OPEN LANDS

General Condition No. 1

Open land improvements and public land dedications shall occur concurrent with and proportionate to the rate of residential development as further specified in individual Improvement Agreements or Subdivision Improvement Agreements for each Site Development Plan with residential uses.

PLANNING

General Condition No. 2

Until such time as 1,000,000 SF of commercial buildings are constructed in the PUD, Developer shall, at all times, have available for sale and or development, a minimum of 50 acres of commercial development sites for construction of mixed-use commercial which may include but is not limited to any of the following uses: retail, hospitality, entertainment, professional and corporate offices, research and/or other employment uses. These sites shall be improved with roadway access and utilities to the property line (the obligation for which shall be either the Developer's or the City's in accordance with the requirements of the PUD and the Restated Development Agreement).

TRANSPORTATION

General Condition No. 3

Development Projects within the PUD shall comply with the 2005 Broomfield Transportation Plan as amended and in accordance with Section 12.2.2 of the PUD.





**APPENDIX 1-3
CENTERRA DESIGN GUIDELINES**

ATTACHED AS A SEPARATE DOCUMENT

