

LEGAL DESCRIPTION

PARCEL 1

A PART OF THE EAST HALF OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 21;
THENCE SOUTH 89°22'09" WEST ALONG SAID SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 21 A DISTANCE OF 189.50 FEET;
THENCE NORTH 00°20'45" WEST A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF EAST 88th AVENUE AND THE POINT OF BEGINNING;
THENCE SOUTH 89°22'09" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY, ALONG A LINE 30 FEET NORTHERLY DISTANT AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 21 A DISTANCE OF 2463.24 FEET TO THE WEST LINE OF THE EAST HALF OF SAID SECTION 21;
THENCE NORTH 00°03'52" WEST ALONG SAID WEST LINE A DISTANCE OF 5273.18 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 21;
THENCE SOUTH 89°59'51" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 2596.81 FEET TO THE WESTERLY RIGHT-OF-WAY OF TOWER ROAD;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY OF TOWER ROAD THE FOLLOWING TWO (2) COURSES:

1. THENCE SOUTH 00°20'49" EAST ALONG A LINE 30 FEET WESTERLY DISTANT AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 21 A DISTANCE OF 2637.89 FEET;
2. THENCE SOUTH 00°20'45" EAST ALONG A LINE 30 FEET WESTERLY DISTANT AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 21 A DISTANCE OF 2406.36 FEET;

THENCE SOUTH 89°22'09" WEST A DISTANCE OF 159.50 FEET;
THENCE SOUTH 00°20'45" EAST A DISTANCE OF 200.04 FEET TO THE POINT OF BEGINNING;

SAID PARCEL 1 CONTAINS AN AREA OF 314.33 ACRES, MORE OR LESS.

TOGETHER WITH

PARCEL 2

A PART OF THE EAST HALF OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 28;
THENCE SOUTH 89°22'09" WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 28 A DISTANCE OF 80.08 FEET;
THENCE SOUTH 00°37'51" EAST A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF EAST 88th AVENUE, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN BOOK 3764 AT PAGE 288 AND THE POINT OF BEGINNING;
THENCE SOUTH 45°34'40" EAST ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 3764 AT PAGE 288 A DISTANCE OF 70.59 FEET TO THE WESTERLY RIGHT-OF-WAY OF TOWER ROAD;
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY OF TOWER ROAD THE FOLLOWING TWO (2) COURSES:

1. THENCE SOUTH 00°29'02" EAST ALONG A LINE 30 FEET WESTERLY DISTANT AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 28 A DISTANCE OF 2586.76 FEET;
2. THENCE SOUTH 00°28'01" EAST ALONG A LINE 30 FEET WESTERLY DISTANT AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 28 A DISTANCE OF 273.58 FEET;

THENCE NORTH 84°25'18" WEST A DISTANCE OF 635.20 FEET;
THENCE NORTH 14°25'18" WEST A DISTANCE OF 600.00 FEET;
THENCE NORTH 34°25'18" WEST A DISTANCE OF 850.00 FEET;
THENCE NORTH 77°25'18" WEST A DISTANCE OF 725.00 FEET;
THENCE NORTH 55°25'18" WEST A DISTANCE OF 813.02 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER OF SECTION 28;
THENCE NORTH 00°30'22" WEST ALONG SAID WEST LINE A DISTANCE OF 918.06 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF EAST 88th AVENUE;
THENCE NORTH 89°22'09" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY, ALONG A LINE 30 FEET SOUTHERLY DISTANT AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 28 A DISTANCE OF 2572.88 FEET TO THE POINT OF BEGINNING;

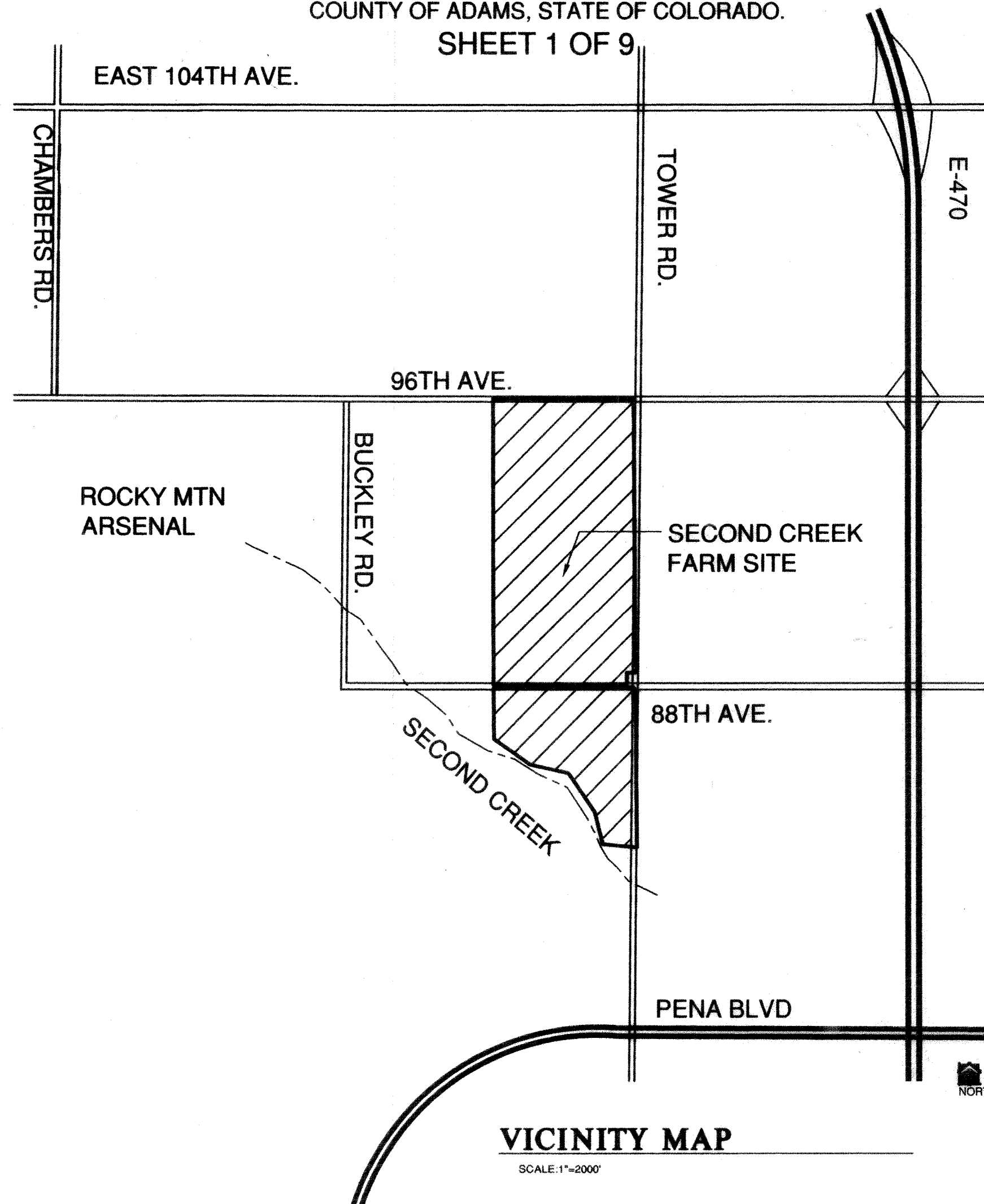
SAID PARCEL 2 CONTAINS AN AREA OF 112.34 ACRES, MORE OR LESS;

PARCELS 1 AND 2 CONTAIN A TOTAL AREA OF 426.67 ACRES, MORE OR LESS.

SECOND CREEK FARM PUD ZONE DOCUMENT

A PART OF THE EAST HALF OF SECTIONS 21 & 28,
TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO.

SHEET 1 OF 9



ENGINEER & SURVEYOR:



Carroll & Lange
Professional Engineers & Land Surveyors
165 South Union Blvd., Suite 156
Lakewood, Colorado 80228
(303) 980-0200

DEVELOPER:

88TH & TOWER, LLC.
1380 17th Street
Denver, Colorado 80202
(303) 573-0066

PLANNER:

dhm design
1200 Lawrence St., Suite 100, Denver, CO 80204
Site Design, Land Planning
& Landscape Architecture
Phone: 303-455-0000
Fax: 303-455-0001

APPROVAL CERTIFICATE

APPROVED BY THE CITY OF COMMERCE CITY PLANNING COMMISSION
THIS 5th DAY OF October, 2004.

Debra C. Mitchell
CHAIRPERSON

APPROVED BY THE CITY OF COMMERCE CITY, CITY COUNCIL
THIS 1st DAY OF November, 2004.

ATTEST: Judith A. Padgley CITY CLERK
Scott A. [Signature] MAYOR

CLERK AND RECORDER:

THIS PUD ZONE DOCUMENT WAS FILED FOR RECORD IN THE OFFICE OF
ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO
AT 2:20 O'CLOCK P.M., THIS 22nd DAY OF December, 2004.

Carol A. Snyder
COUNTY CLERK AND RECORDER

OWNERS CERTIFICATE:

VAN SCHAACK HOLDINGS, LTD., BEING THE OWNER OF THE PROPERTY
LOCATED IN THE CITY OF COMMERCE CITY, COUNTY OF ADAMS,
STATE OF COLORADO, DOES HEREBY SUBMIT THIS PLANNED UNIT
DEVELOPMENT AND AGREE TO PERFORM UNDER THE TERMS NOTED
HEREON.

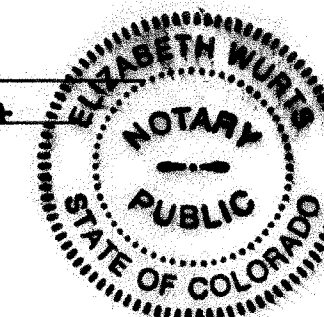
BY: H.C. Van Schaack
H.C. VAN SCHAACK, MANAGING GENERAL PARTNER

ACKNOWLEDGMENT:

STATE OF COLORADO)
COUNTY OF) SS
CITY OF)

THE FOREGOING OWNERSHIP CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS
12 DAY OF DECEMBER, 2004, BY H.C. VAN SCHAACK, AS MANAGING
GENERAL PARTNER OF VAN SCHAACK HOLDINGS, LTD.

NOTARY PUBLIC Elizabeth S. Wurts
MY COMMISSION EXPIRES 19 February 2007



SHEET INDEX

SHEET NO.	SHEET DESCRIPTION
1	COVER SHEET
2	EXISTING CONDITIONS
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4	MINERAL FACILITIES PLAN
5	LAND USE SCHEDULE GENERAL PROVISIONS
6	DEVELOPMENT STANDARDS
7	LANDSCAPE STANDARDS, OPEN SPACE AND PARKS
8	LANDSCAPE STANDARDS, WELL SITES, OPEN SPACE AND PARKS
9	STREET SECTIONS / DETAILS

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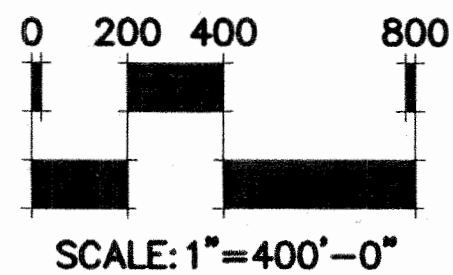
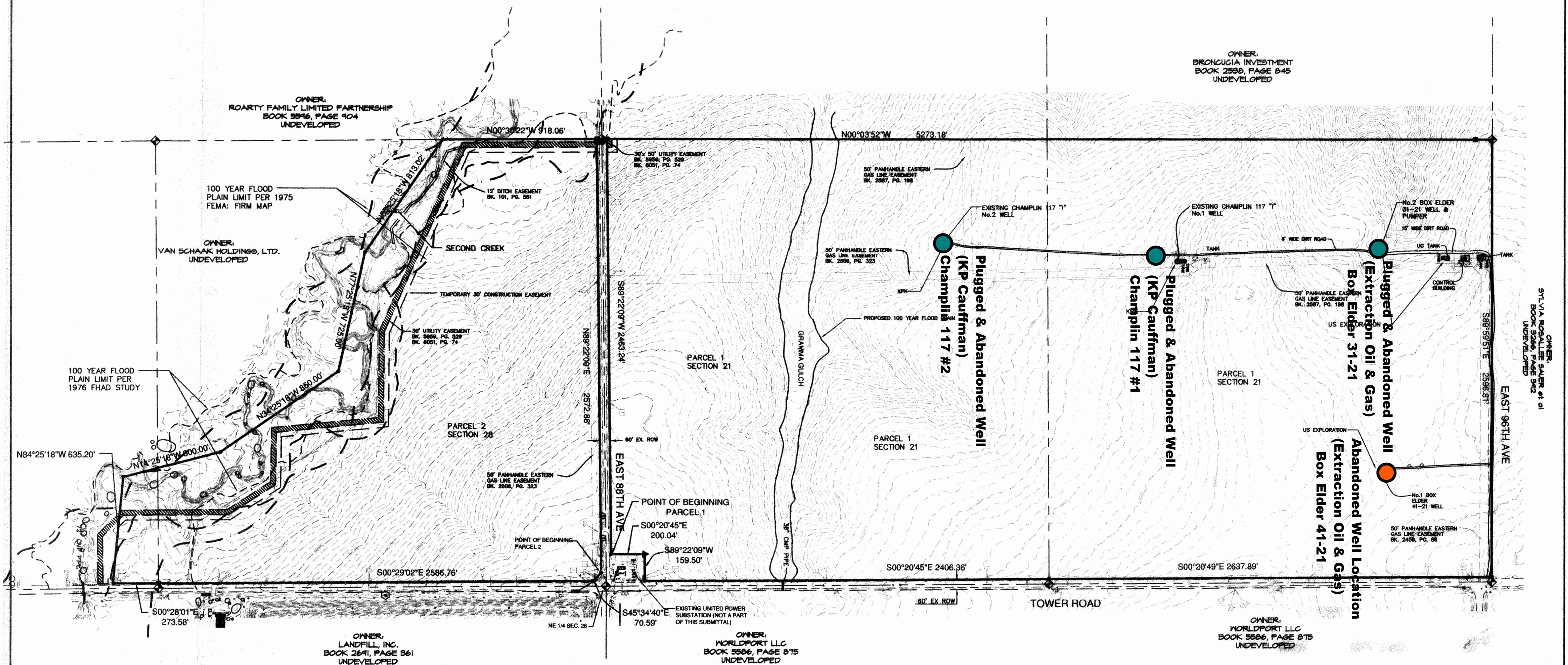
INSTRUMENT #

DATE: 11.1.04

SECOND CREEK FARM

PUD ZONE DOCUMENT

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SHEET 2 OF 9



ENGINEER & SURVEYOR:



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160 South Union Blvd., Suite 156
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(303) 980-0200

DEVELOPER:

88TH & TOWER, LLC.
1380 17th Street
Denver, Colorado 80202
(303) 573-0066

PLANNER:

1399 Lawrence St., Suite 100, Denver, CO 80202
dhm design
corporation
SITE DESIGN, LAND PLANNING
& LANDSCAPE ARCHITECTURE
PHONE: 303-455-9866
FAX: 303-455-9866

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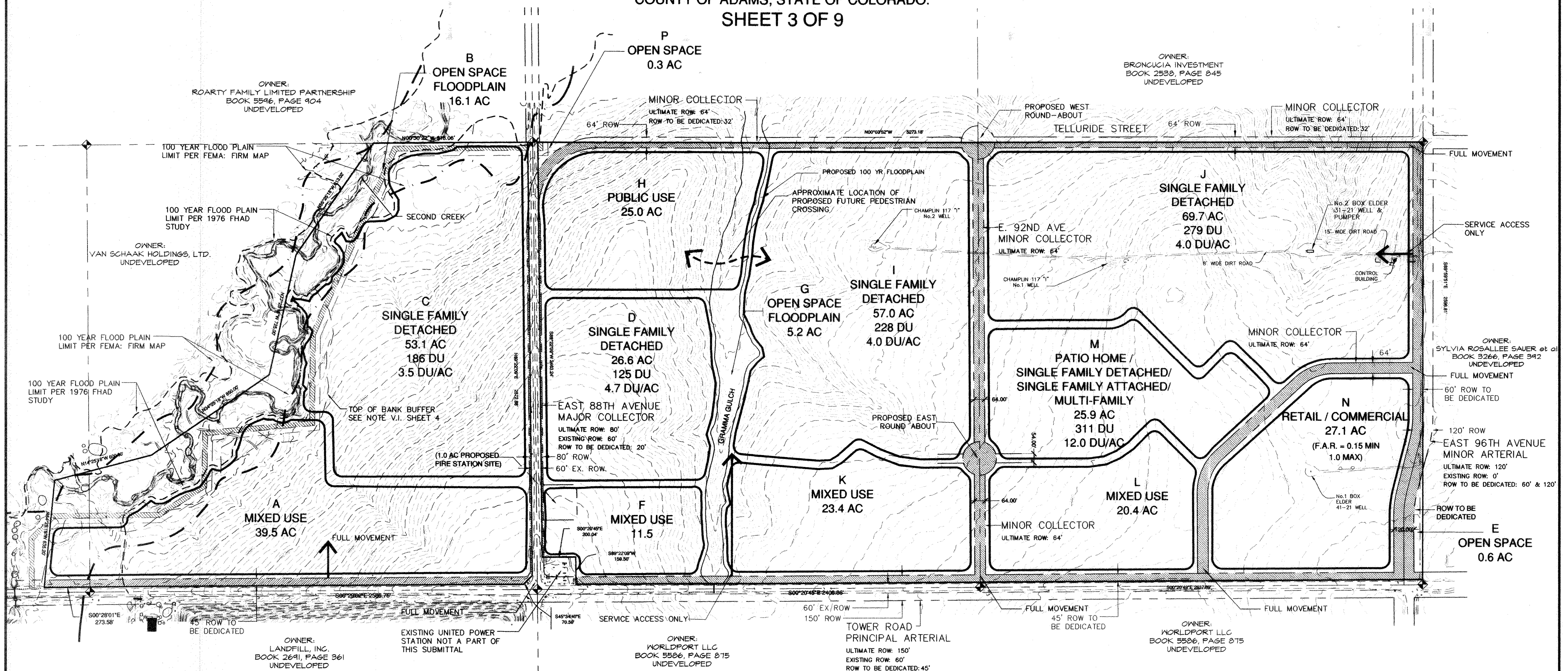
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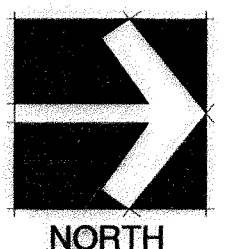
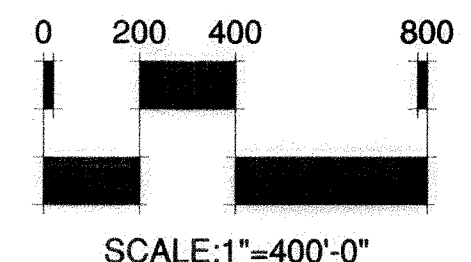
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SHEET 3 OF 9



LAND USE CHART

PLANNING AREA	LAND USE	ACRES	% ACRES
A	MIXED USE	39.5	9.3
B	OPEN SPACE	16.1	3.8
C	SINGLE FAMILY DETACHED	53.1	12.4
D	SINGLE FAMILY DETACHED	26.6	6.2
E	OPEN SPACE	0.6	0.1
F	MIXED USE	11.5	2.7
G	OPEN SPACE	5.2	1.2
H	PUBLIC USE	25.0	5.9
I	SINGLE FAMILY DETACHED	57.0	13.4
J	SINGLE FAMILY DETACHED	69.7	16.3
K	MIXED USE	23.4	5.5
L	MIXED USE	20.4	4.8
M	PATIO HOME / SINGLE FAMILY DETACHED / SINGLE FAMILY ATTACHED / MULTI-FAMILY	25.9	6.1
N	RETAIL/COMMERCIAL	27.1	6.3
P	OPEN SPACE	0.3	0.1
RIGHT OF WAY (ARTERIAL & COLLECTOR)		25.27	5.9
TOTAL		426.67	100 %

LAND USE	ACRES	% ACRES
RETAIL / COMMERCIAL	27.1	6.3 %
MIXED USE	94.8	22.2%
PATIO HOME / SINGLE FAMILY DETACHED / SINGLE FAMILY ATTACHED / MULTI-FAMILY	25.9	6.1 %
SINGLE FAMILY DETACHED	206.4	48.4 %
PUBLIC USE	25.0	5.9 %
OPEN SPACE	22.2	5.2 %
RIGHT OF WAY	25.27	5.9 %
TOTAL	426.67	100%



ENGINEER & SURVEYOR:



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1655 South Union Blvd., Suite 1156
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DEVELOPER:

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1390 Lawrence St., Suite 100, Denver, CO 80204
dhm design
corporation

SITE DESIGN, LAND PLANNING
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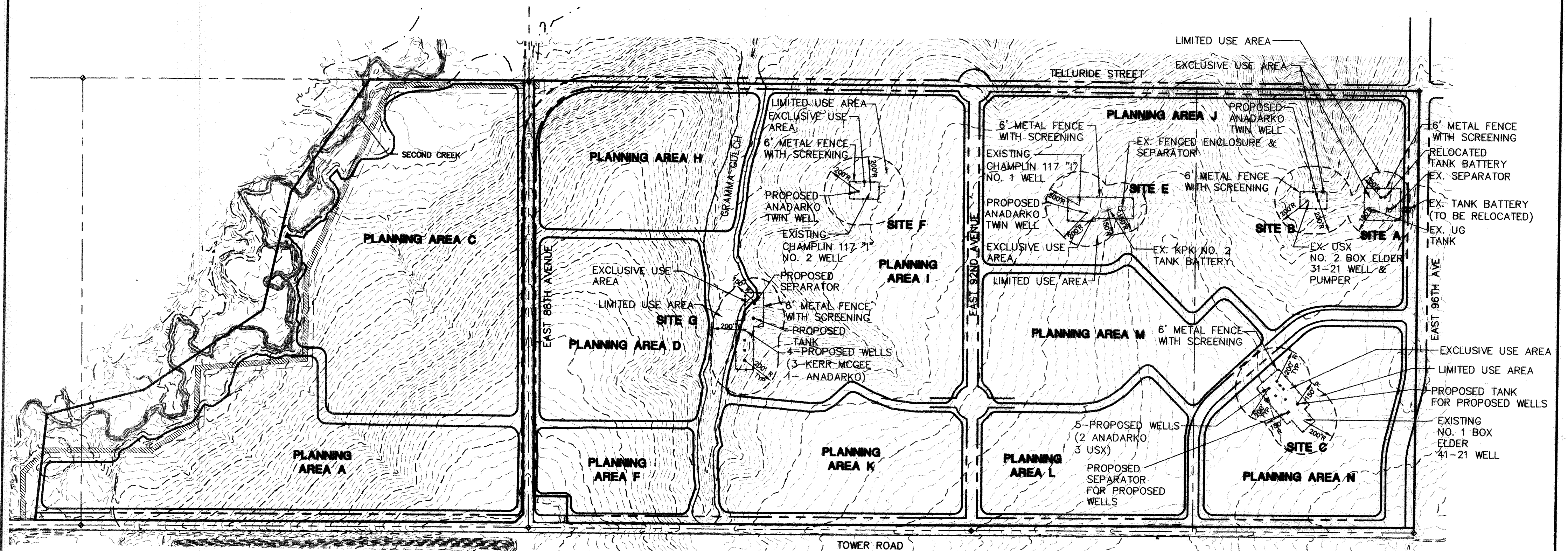
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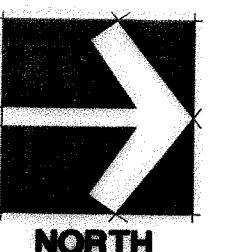
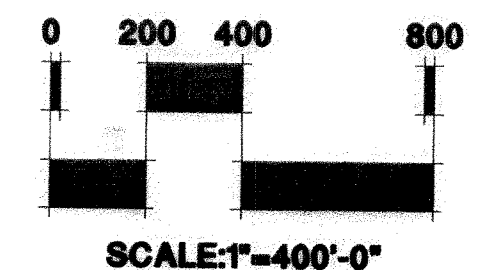
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SHEET 4 OF 9



NOTE:
THE PROPOSED OIL / GAS FACILITY LOCATIONS AS SHOWN HEREON ARE APPROXIMATE. MORE PRECISE LOCATIONS SHALL BE IDENTIFIED ON THE FINAL PLAT



ENGINEER & SURVEYOR:



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200 Lawrence St., Suite 200, Denver, CO 80202

dhm design
corporation

See Also, Land Planner
Landscape Architecture
Phone: 303-733-0000
Fax: 303-733-0000

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SHEET 5 OF 9

LAND USE SCHEDULE

	SFD	PATIO HOMES/ SFD/ SFA/ MF	COMM/ RETAIL	MIXED USE	OPEN SPACE/ PUBLIC USE
Single-family detached dwelling	R	R	X	X	X
Single-family attached dwelling	X	R	X	R	X
Multi-family dwelling	X	R	X	R	X
Community sales center / welcome center incidental and necessary for the sale of new construction (permanent)	R	R	R	R	R
Public parks and public recreation centers / facilities	R	R	R	R	R
Private parks and private open space / Recreation Center	R	R	R	R	R
Public and private schools	R	R	R	P	R
Public and private colleges, universities, vocational and trade schools	X	X	R	P	X
Churches and religious institutions	X	X	R	P	X
Libraries	R	R	R	R	R
Museums	X	X	X	R	X
Private lodges and clubs	X	X	R	P	X
Gardening and cultivation of land, supplementary to the primary residential use	R	R	X	R	X
Public gardening and similar cultivation of land	X	R	X	R	X
Home occupations (in compliance with the Commerce City zoning ordinance)	R	R	X	R	X
Child care center	P	P	R	R	X
Care home, Assisted Care and Senior Housing	X	X	R	R	X
Group home	X	X	X	R	X
Non-profit membership clubs	X	X	R	R	X
Bed & Breakfast	X	P	R	R	X
Office / General Office	X	X	R	R	X
Medical and dental offices / clinic	X	X	R	R	X
Art or craft studio	X	X	R	R	X
Stores	X	X	R	R	X
Restaurants	X	X	R	R	X
Eating (Fast Food) and drinking establishments, including drive-in type	X	X	R	R	X
Liquor stores	X	X	R	R	X
Banks and financial institutions (including ATMs)	X	X	R	R	X
Data processing facilities	X	X	R	R	X
Call center	X	X	R	P	X
Computer design and development facilities	X	X	R	R	X
Print shops and duplicating services	X	X	R	R	X
Small theatre for live performances (300 seats maximum)	X	X	R	R	X
Theatres, not including 'drive-in' (cinema-type)	X	X	R	R	X
Hotels and motels	X	X	R	R	X
Radio and television broadcasting stations	X	X	P	P	X
Public or governmental communication centers, radio or television broadcasting stations, and private land mobile radio service, special emergency radio services (etc.)	X	X	R	R	X
Broadcasting & recording facilities	X	X	R	R	X
Fire stations and ambulance services	R	R	R	R	X
Animal hospitals (excluding outdoor kenneling)	X	X	R	R	X
Hospitals or other public health facilities	X	X	P	P	X
Public transportation terminals	X	X	P	P	X
Car pool lots / park and ride	X	X	R	R	X
Public parking lots	X	X	R	R	R
Parking structures	X	X	R	R	X
Storage and mini storage facilities	X	X	P	P	X
Public administrative offices and service buildings	X	X	R	R	X
Amusement establishments, indoor only (i.e. bowling alley, arcades, etc)	X	X	R	R	X
Public stadiums, arenas and auditoriums	X	X	P	P	P
Greenhouses and nurseries (with limited storage of animal by-products, fertilizer, fungicides, herbicides and insecticides as necessary for retail and wholesale purposes and for arboriculture uses on premises)	X	X	R	X	X
Farmers' markets	X	X	T	T	X
Sales from a moveable structure, vacant lot or parking lot	X	X	T	T	X
Temporary office	T	T	T	T	X
Temporary signage	T	T	T	T	X
Temporary construction trailer(s) incidental and necessary for the sale and/or construction of new construction by the permittee (Each permit shall be valid for a period of not more than six (6) calendar months and may be renewed for six (6) consecutive six (6) month periods at the same location.	T	T	T	T	T
Christmas tree lots - permits not to exceed 45 days	X	X	T	T	X
Tree, plant and garden supply sales - permits not to exceed six (6) months	X	X	T	T	X
Sidewalk sale, carnival or bazaar - permits not to exceed thirty (30) days	X	X	T	T	T
Residential accessory uses as set forth in Section 21-56 of the Commerce City Municipal Code	A	A	X	A	X
Non-residential Accessory uses as set forth in Section 21-336 of the Commerce City Municipal Code	X	X	A	A	X
Exception to Accessory uses: containers for trash shall be screened and/or out of sight from the public right-of-way	A	A	A	A	A
Governmentally-owned or operated buildings or uses	X	X	R	R	R
Car washes	X	X	P	P	X
Gasoline service stations, including car wash and convenience store. The gasoline pumps shall be set back a minimum of eighteen (18) feet from property lines and need not be enclosed in a structure	X	X	R	R	X
Automobile repair garage - limited to services of 15,000 GVW	X	X	R	R	X
Temporary outside storage yards for contractors, provided that no permit shall be granted for such use unless adequate provisions are made for concealing such storage by concealing-type fences or walls from adjacent properties in such a manner as to assure the protection of the general health, safety and welfare of the public.	T	T	T	T	T
Temporary car wash at a school	R	R	R	R	R
Current or existing oil and gas production facilities and transmission lines	R	R	R	R	R
Future or additional oil and gas production facilities and transmission lines	P	P	P	P	P

Legend
R Use by Right
P Use by Permit
T Temporary Use
A Accessory Use
X Excluded Use

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Professional Engineers & Land Surveyors
165 South Union Blvd., Suite 156
Lakewood, Colorado 80228
(303) 930-0200

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1380 17th Street
Denver, Colorado 80202
(303) 573-0066

PLANNER:

1550 Lawrence St., Suite 100, Denver, CO 80202
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CORPORATION
Site Design, Land Planning
Landscape Architecture
Phone: 303-444-0444
Fax: 303-444-0444

GENERAL PROVISIONS:

Project Intent

The intent of the Second Creek Farm project is to create a 426 acre mixed-use project that takes full advantage of its location to Tower Road and the Second Creek greenway. Easy accessibility to Denver International Airport and the northeast metropolitan area provides convenience to residents and economic opportunities for office users and retailers. Other area distinct attributes are the legacy of the high plains prairie; the contrasting riparian environment of Second Creek and the panoramic mountain views. The infrastructure, site details, landscaping and architecture for Second Creek Farm community shall be developed with the highest quality to ensure that the community is aesthetically as well as economically successful.

It is the intent to create a community that will accommodate a variety of lot sizes and housing types. Housing types that include single family detached homes, patio homes, townhomes and multi-family apartments are proposed with this PUD. This range in lot size will result in a variety of housing sizes and types providing purchasing opportunities for families that are positioned in different income levels. The mixed use areas are located adjacent to Tower Road providing visibility and access to office and retail users. A variety of land uses are proposed for the mixed-use areas to encourage a live, work and play lifestyle that does not have a strong dependency on the automobile.

An extensive open space system is proposed providing active and passive recreational opportunities. Parks will be strategically located to serve as neighborhood focal points. A 25 acre school/ regional park site (10 acre school and 15 acre regional park) has been located along the western boundary of the project providing convenient pedestrian and vehicular access.

A street network is proposed that will reinforce vehicular and pedestrian connectivity. Streets have been planned to provide convenient access to mixed use, residential, school and open space parcels. All public streets will be designed in compliance with the City of Commerce City standards.

I. Residential Unit Transfers

Transfer(s) of residential units from planning area to planning area (maximum of 20%) is permitted by the developer without requiring additional City approvals. Unit transfers shall be tracked by the developer and provided to the Director of Community Development with each such transfer at the PUD permit stage. Once a planning area has been fully platted through the PUD Permit process, any remaining/ unplatted residential units designated on the PUD Zone Document within said planning area shall remain available for transfer to other unplatted planning areas without requiring additional city approvals. At no time shall the total number of single family detached units in Planning Areas C, D, I, J and M exceed 1,129 without a PUD Zone Document Amendment. This total cap may change as a result of the increase in Planning Areas once the wells, rigs, and buffer areas are deleted from the plan.

II. Overall PUD Density Increase

Any request for density over and above permitted density shown on the land use schedule will be considered a major amendment to this PUD and must follow the procedures outlined in Section 21 of the City of Commerce City Municipal Code.

III. Planning Area Boundaries

Planning area acreages and boundaries are preliminary and subject to change with detailed planning. Parcel acreages may change up to 15% without a major amendment to this PUD Zone Document. Changes will result in corresponding changes in the planning area yields shown on the land use schedule for total acres, density and total units.

IV. Phasing

Phasing will occur in a logical and cost effective manner based on infrastructure extension and market conditions. The project is expected to be built in several phases.

V. General Notes

- All residential development will conform to the Commerce City Neighborhood Residential Development Standards for new development as adopted or amended.
- The development of commercial uses within Planning Areas A, F, K, L and N will adhere to City approved Design Standards and Guidelines as set forth by the City of Commerce City at the time of PUD Permit application. The Developer may propose alternate Design Standards and Guidelines for Planning Areas A, F, K, L and N at the time of PUD Permit application which are subject to review and approval by the City of Commerce City.
- Mobile homes and manufactured houses are prohibited within this development.
- Commercial, office or multi-family developments can occupy the same lot, mixed horizontally or vertically in Mixed Use planning areas.
- Following the intent of the Prairieways Action Plan, land for a trail along Second Creek, within planning area B, will be dedicated to the City for future construction of the trail. The exact location, development credits and physical parameters of this trail will be agreed upon between the City and developer at the time of the subdivision during the PUD Permit process.
- Public park, school, local parks and detention area locations are subject to change. Final locations to be reviewed and approved by the City at the PUD Permit stage.
- All unplatted property (per the PUD Permit subdivision process) within this PUD Zone Document shall remain in agricultural use until final plat approval.
- Structures, as defined by the Colorado Oil and Gas Commission, shall not be permitted within 200' of a gas and/or oil well head nor within 150' from other gas and/or oil appurtenances and residential lots and structures.
- Residential structures shall be setback a minimum of 100' from the Second Creek top of bank, with an average setback of at least 150'. The dashed line as shown on sheet 3 of 8 is 150' from top of bank.

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SECOND CREEK FARM

PUD ZONE DOCUMENT

A PART OF THE EAST HALF OF SECTIONS 21 & 28,
TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO.

SHEET 6 OF 9

DEVELOPMENT STANDARDS

PLANNING AREA	A		B	C	D	E	F		G	H	I	J	K		L		M	N	P	ROW	Total
AREA	39.5 AC		16.1 AC	53.1 AC	26.6 AC	0.6 AC	11.5 AC		5.2 AC	25.0 AC	57.0 AC	69.7	23.4 AC		20.4 AC		25.9 AC	27.1 AC	0.3 AC	25.67 AC	426.67
ALLOWABLE LAND USES	MU Residential	MU Non-Residential	OPEN SPACE	SFD	SFD	OPEN SPACE	MU Residential	MU Non-Residential	OPEN SPACE	PUBLIC USE	SFD	SFD	MU Residential	MU Non-Residential	MU Residential	MU Non-Residential	PATIO HOMES/ SFD/ SFA/ MF	RETAIL/ COMM	OPEN SPACE		
DENSITY	8 DU/AC (m)	-	-	3.5 DU/AC (x)	4.7 DU/AC (x)	-	8 DU/AC (m)	-	-	-	4.0 DU/AC (x)	4.0 DU/AC (x)	8 DU/AC (m)	-	8 DU/AC (m)	-	12 DU/AC (x)	-	-		
TOTAL SINGLE FAMILY DETACHED UNITS	-	-	-	186 (x)	125 (x)	-	-	-	-	-	228 (x)	279 (x)	-	-	-	-	311 (x)	-	-		
LOT SIZE (m)	1,800 sf	25,000 sf	-	5,000 sf	5,000 sf	-	1,800 sf	25,000 sf	-	-	5,000 sf	5,000 sf	1,800 sf	25,000 sf	1,800 sf	25,000 sf	3,000 sf	25,000 sf	-		1129 (x)
LOT FRONTAGE (m)	45'	-	-	50' (3)	50' (3)	-	45'	-	-	-	50' (3)	50' (3)	45'	-	45'	-	25'	-	-		
FLOOR AREA RATIO (m)	-	0.15	-	-	-	-	-	0.15	-	-	-	-	-	0.15	-	0.15	-	0.15	-		
FLOOR AREA RATIO (x)	-	1.0	-	-	-	-	-	1.0	-	-	-	-	-	1.0	-	1.0	-	1.0	-		
FLOOR AREA SQFT (m)	500 (4)	-	-	1,200	1,200	-	500 (4)	-	-	-	1,200	1,200	500 (4)	-	500 (4)	-	1,000	-	-		
OFF-STREET PARKING (m)	2/DU	CODE	-	2/DU	2/DU	-	2/DU	CODE	-	-	2/DU	2/DU	2/DU	CODE	2/DU	CODE	2/DU	CODE	-		
LANDSCAPE (m)	CODE	CODE	-	CODE	CODE	-	CODE	CODE	-	-	CODE	CODE	CODE	CODE	CODE	CODE	CODE	CODE	-		
PRIMARY USE																					
HEIGHT (x)	50'	60'	-	35'	35'	-	50'	60'	-	-	35'	35'	50'	60'	50'	60'	35'	90'	-		
FRONT SETBACK	10' (1) (m)	20' (x) (1) (22)	-	10' (1) (m)	10' (1) (m)	-	10' (1) (m)	20' (x) (1) (22)	-	-	10' (1) (m)	10' (1) (m)	10' (1) (m)	20' (x) (1) (22)	10' (1) (m)	20' (x) (1) (22)	10' (1) (m)	20' (x) (1) (22)	-		
SIDE SETBACK (m)	20'	10'	-	5'	5'	-	20'	10'	-	-	5'	5'	20'	10'	20'	10'	5'	10'	-		
BLDG SEPARATION (m)	10'	-	-	10'	10'	-	10'	-	-	-	10'	10'	10'	-	10'	-	10'	-	-		
REAR SETBACK (m)	25'	25'	-	20'	20'	-	25'	25'	-	-	20'	20'	25'	25'	25'	25'	20'	25'	-		
SIDE ON STREET SETBACK	25' (m) (1)	20' (x) (1) (22)	-	10' (m) (1)	10' (m) (1)	-	25' (m) (1)	20' (x) (1) (22)	-	-	10' (m) (1)	10' (m) (1)	25' (m) (1)	20' (x) (1) (22)	25' (m) (1)	20' (x) (1) (22)	10' (m) (1)	20' (x) (1) (22)	-		
EXCEPTION (from arterial) FOR PRIMARY USES																					
FRONT SETBACK (m)	20' (1)	20' (1)	-	-	-	-	20' (1)	20' (1)	-	-	-	-	20' (1)	20' (1)	20' (1)	20' (1)	-	30' (1)	-		
SIDE SETBACK (m)	25'	25'	-	-	-	-	25'	25'	-	-	-	-	25'	25'	25'	25'	-	25'	-		
REAR SETBACK (m)	25'	25'	-	-	-	-	25'	25'	-	-	-	-	25'	25'	25'	25'	-	25'	-		
SIDE ON STREET SETBACK (m)	25' (1)	25' (1)	-	-	-	-	25' (1)	25' (1)	-	-	-	-	25' (1)	25' (1)	25' (1)	25' (1)	-	25' (1)	-		
ACCESSORY USE																					
HEIGHT (x)	15'	20'	-	15'	15'	-	15'	20'	-	-	15'	15'	15'	20'	15'	20'	15'	20'	-		
FRONT SETBACK (m)	20' (1)	20' (1)	-	20' (2)	20' (2)	-	20' (1)	20' (1)	-	-	20' (2)	20' (2)	20' (1)	20' (1)	20' (1)	20' (1)	20' (2)	20' (1)	-		
SIDE SETBACK (m)	5'	5'	-	10'	10'	-	5'	5'	-	-	10'	10'	5'	5'	5'	5'	10'	5'	-		
REAR SETBACK (m)	5'	5'	-	5'	5'	-	5'	5'	-	-	5'	5'	5'	5'	5'	5'	10'	5'	-		
SIDE ON STREET SETBACK (m)	20' (1)	20' (1)	-	20' (2)	20' (2)	-	20' (1)	20' (1)	-	-	20' (2)	20' (2)	20' (1)	20' (1)	20' (1)	20' (1)	20' (1)	20' (1)	-		
EXCEPTION (from arterial) FOR ACCESSORY USES																					
FRONT SETBACK (m)	25' (1)	25' (1)	-	-	-	-	25' (1)	25' (1)	-	-	-	-	25' (1)	25' (1)	25' (1)	25' (1)	-	25' (1)	-		
REAR SETBACK (m)	15'	-	-	-	-	-	15'	-	-	-	-	-	15'	-	15'	-	-	15'	-		
SIDE ON STREET SETBACK (m)	20' (1)	-	-	-	-	-	20' (1)	-	-	-	-	-	20' (1)	-	20' (1)	-	-	20' (1)	-		

(x) maximum

(m) minimum LOT SIZE AND LAND USE CRITERIA

PATIO HOMES	
3,375 - 4,999 SF	14% *
SINGLE FAMILY HOMES	
5,000 - 5,999 SF	24% (x)
6,000 - 6,999 SF	32%
7,000 + SF	30% (m)
	100%

* May be platted as single family detached if greater than 4,999 square feet.

Percentages are based on total number of lots and can vary a maximum of 5%.

Single family detached residential housing is prohibited within Planning Areas A, F, K, and L. Single family attached and multi-family residential developments and all associated landscaping and parking may not exceed 65% of Planning Area A. Single family attached and multi-family residential developments and all associated landscaping and parking may not exceed 50% of Planning Area K. Single family attached and multi-family residential developments and all associated landscaping and parking may not exceed 30% of Planning Area L. 100% of Planning Area F may be developed as single family attached and/or multi-family residential. Mixed use buildings are exempt from this restriction. A mixed use building is defined as containing retail, office or commercial on the first floor and retail, office, commercial and residential on the second floor and above.

ENGINEER & SURVEYOR:



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Professional Engineers & Land Surveyors
165 South Union Blvd., Suite 156
Lakewood, Colorado 80228
(303) 980-0200

DEVELOPER:

88TH & TOWER, LLC.
1380 17th Street
Denver, Colorado 80202
(303) 573-0066

PLANNER:

3000 Lawrence St., Suite 300, Denver, CO 80202
dhn design
corporation

DEVELOPMENT STANDARDS NOTES:

- (1) As measured from the right-of-way.
- (2) As measured from the right-of-way. May be reduced to 10' from the right-of-way for side loaded garages provided a minimum driveway length is 18' from the right-of-way. All storage buildings must be located within the rear yard.
- (3) Minimum lot frontage for lots adjacent to an eyebrow shall be 50' as measured from the setback.
- (4) The minimum floor area is restricted to a maximum of 10% of the total number of multi-family units for studio units within each parcel. The floor area for the remaining 90% of the multi-family units will be approved by the Community Development Department at the PUD Permit stage.
- (5) All building setbacks are measured from the building foundation wall to the property line. Steps, walks, screen walls, and trash enclosures are excluded from the setback restrictions above. Building overhangs, architectural projections, and canopies that do not touch grade, may protrude 48" into the required setback. Gas pumps and/or associated canopies shall be setback a minimum of 18' from any ROW line.
- (6) Covered porches may extend into the front setback to within 10' from the right-of-way.
- (7) Decks, patios and covered porches may extend within 10' from the rear property line.
- (8) Roof overhangs, bay or box windows, fireplaces, and other architectural features may be located within side setbacks, provided that encroachment does not exceed 24 inches.
- (9) Roof overhangs, bay or box windows, fireplaces, cantilevers, and other architectural features may be located within rear setbacks, provided that encroachment does not exceed 24 inches.
- (10) SFD = single family detached residential.
MF = multi-family residential including apartments, condominiums, town homes and triplexes.
SFA = single family attached and/or duplexes.
- (11) Accessory uses= attached and detached garages are not to exceed 864 square feet in floor area and storage buildings are not to exceed 200 square feet in floor area. Accessory structures are not allowed in front or side yards facing a public street.
- (12) Signage and fencing for development within PUD Zone Document shall either follow those applicable standards in the City of Commerce City Municipal Code or the developer may formulate design standards regulating the design, character, location and other details of these elements prior to their implementation. The Developer-formulated design standards must receive approval by the Director of Community Development for implementation.
- (13) In Mixed Use and Commercial Planning Areas permanent outdoor storage is not allowed.
- (14) A 6' privacy fence will occur along all residential boundaries. This includes front yard wing fences, side, and rear yards. Open rail fencing will occur along all parks, open space and trails and will be no greater than 48" in height to the top rail. The fence will be uniform in appearance and height throughout the development. Wire mesh may be fastened to the interior of the open rail fence. The Commerce City Parks Department at the PUD Permit stage will approve landscaping within the parks and open space areas. All fencing and landscape standards for the entire development shall meet the requirements of the Commerce City Zoning Ordinance as adopted or amended unless otherwise noted in this document.
- (15) Local parks and open space areas shall be shown with the development of the single-family residential parcels and will meet the City's 3% private open space requirement.
- (16) The Homeowner's Association(s), Metro District, or property owner will maintain local park, detention, water quality and/or retention areas. Detention areas will be re-vegetated with non-irrigated native grass. A commercial area maintenance association shall maintain commercial/retail ponds and drainage facilities.
- (17) Final local park locations and size shall be determined at the PUD permit stage. All parks shall conform to Commerce City Parks and Recreation Design Standards and shall be subject to review and approval by the Commerce City Parks and Recreation Department prior to construction.
- (18) Any requirements not addressed in this PUD Zone Document shall meet the requirements of the City of Commerce City Zoning Ordinance, as adopted or amended.
- (19) All residential lots shall comply with the requirements specified in Article IIIIR Residential Districts Section 21-52. "Exclusions" of the City of Commerce City Zoning Ordinance.
- (20) All commercial lots shall comply with the requirements specified in Article XC Commercial Districts Section 21-202. "Exclusions" of the City of Commerce City Zoning Ordinance.
- (21) Additional access points along arterials not shown on this PUD will need to be justified by a final Traffic Impact Analysis, which is subject to review and approval by the Commerce City Public Works Department.
- (22) In a single-building commercial center, the building shall be located no more than 15 feet from the right-of-way of the adjoining street, if the street is classified as a collector or local and provides on-street parking; and 20 feet if there is no on-street parking. In multiple-building commercial centers at least one (1) building's front or side facade shall be located no more than 15 feet from the right-of-way of the adjoining street, if the street is classified as a collector or local and provides on-street parking; and 20 feet if there is no on-street parking.
- (23) A maximum of fifteen percent (15%) of the total number of single family lots shall be allowed to vary ten percent (10%) from the minimum floor area of 1200 and 1600 SF, single story and two story respectively, as approved by the Director of Community Planning and Development Services.
- (24) All oil and gas operations conducted in the Oil and Gas Operations Areas (OGOA's) will be in compliance with applicable laws and regulations, including Colorado Oil and Gas Conservation Commission regulations, pertaining to fencing, painting of tanks and maintenance of surface areas and equipment, as modified by any applicable surface use agreements.
- (25) The portion of each OGOA that is outside of the interior fenced portion of the OGOA will be maintained by the applicable homeowner's association.

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INSTRUMENT #
DATE: 11.1.04

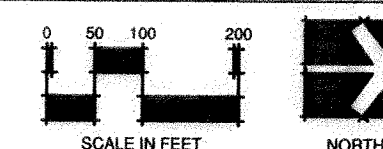
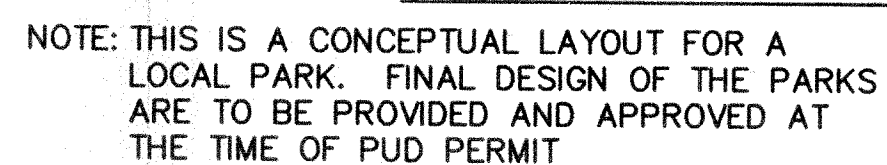
SHEET 7 OF 9



NOT TO SCALE



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**SITE DESIGN, LAND PLANNING
& LANDSCAPE ARCHITECTURE**
PHONE 303-932-5666
FAX 303-932-6901

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INSTRUMENT # _____
DATE: 11.1.04

SECOND CREEK FARM

PUD ZONE DOCUMENT

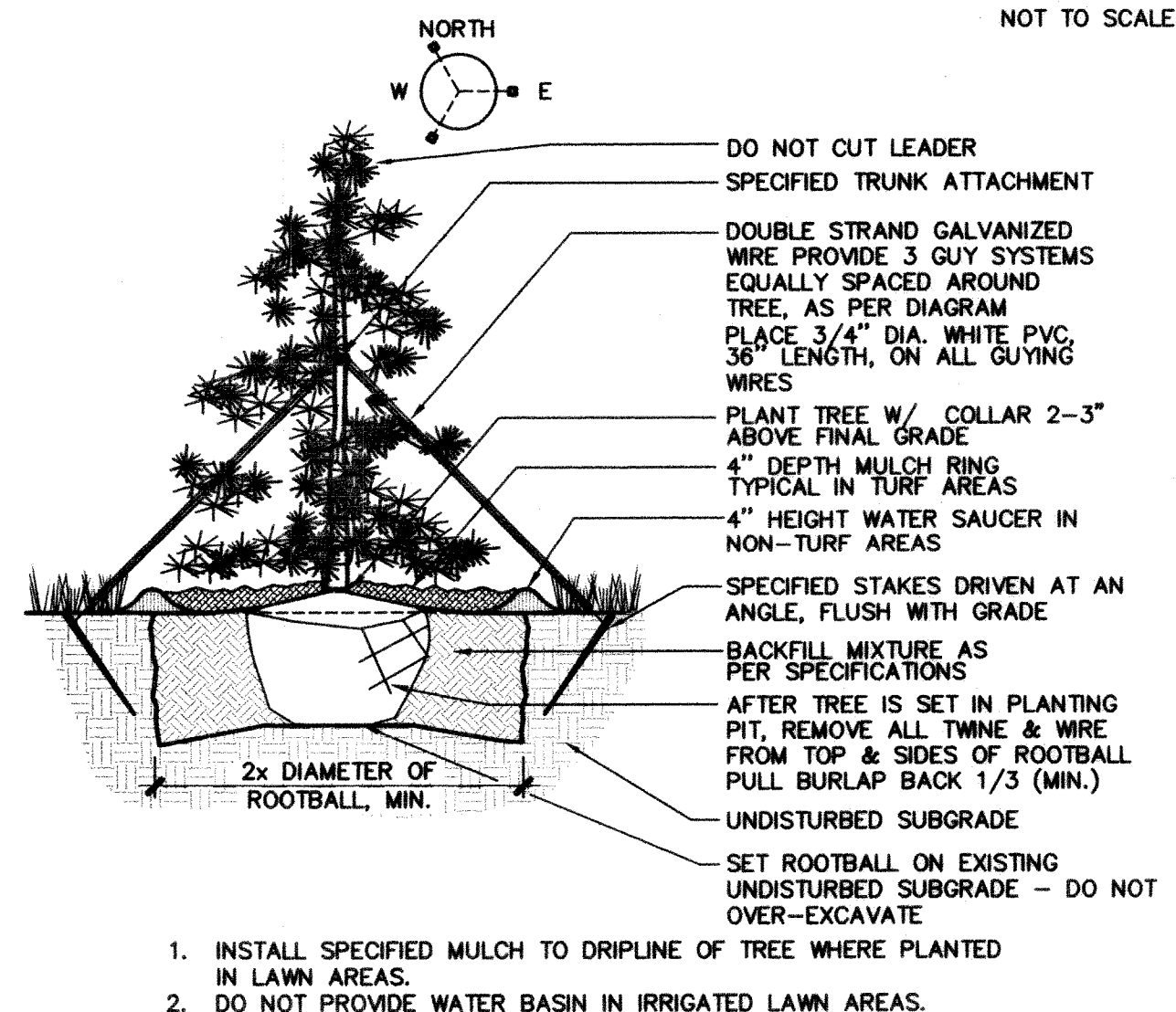
A PART OF THE EAST HALF OF SECTIONS 21 & 28,
TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 8 OF 9

PLANTING LEGEND

COMMON NAME	BOTANICAL NAME	SIZE	COMMENTS
DECIDUOUS TREES			
Redmond Linden	Tilia americana 'Redmond'	2" cal.	Specimen quality B&B, staked and guyed
Shademaster Honeylocust	Gleditsia triacanthos 'Shademaster'	2" cal.	Specimen quality B&B, staked and guyed
Autumn Purple Ash	Fraxinus pennsylvanica 'Autumn Purple'	2" cal.	Specimen quality B&B, staked and guyed
Patmore Ash	Fraxinus pennsylvanica 'Patmore'	2" cal.	Specimen quality B&B, staked and guyed
EVERGREEN TREES			
Colorado Spruce	Picea Pungens	6' Ht.	Specimen quality B&B, staked and guyed
Austrian Pine	Pinus nigra	6' Ht.	Specimen quality B&B, staked and guyed
ORNAMENTAL TREES			
Spring Snow Crabapple	Malus 'Spring Snow'	1 1/2" cal.	Specimen quality B&B, staked and guyed
Flame Amur Maple	Acer ginnala 'Flame'	1 1/2" cal.	Specimen quality B&B, staked and guyed
EVERGREEN SHRUBS			
Buffalo Juniper	Juniperus sabina 'Buffalo'	5 gal.	Container 18"-24" Spread
DECIDUOUS SHRUBS			
Golden Currant	Ribes aureum	5 gal.	Container, 5 canes min. 12"-18" ht.
Western Sandcherry	Prunus besseyi	5 gal.	Container, 5 canes min. 12"-18" ht.
Blue Mist Spirea	Caryopteris clandonensis	5 gal.	Container, 5 canes min. 12"-18" ht.
Tall Blue Rabbitbrush	Chrysothamnus nauseosus subsp. albicaulis	5 gal.	Container, 5 canes min. 12"-18" ht.
PERENNIALS & GROUNDCOVERS			
Autumn Joy Sedum	Sedum 'Autumn Joy'	2-1/4" pots	Fully established
Oriental Poppy	Papaver orientale 'Carmine'	2-1/4" pots	Fully established
Pine-Leaf Penstemon	Penstemon pinifolius	2-1/4" pots	Fully established
Woolly Yarrow	Achillea tomentosa	2-1/4" pots	Fully established

THE ABOVE ARE BY WAY OF EXAMPLE AND SHALL COMPLY WITH THE CITY OF COMMERCE CITY APPROVED PLANT LISTS AND LANDSCAPING SPECIFICATIONS.

EVERGREEN TREE PLANTING



LANDSCAPE NOTES

LOCAL PARKS AND OPEN SPACE AREAS SHALL BE SHOWN DURING THE PUD PERMIT PROCESS AND WILL, AT A MINIMUM, MEET THE CITY'S 3% PRIVATE OPEN SPACE REQUIREMENT.

THE HOMEOWNER'S ASSOCIATION(S) OR PROPERTY OWNER WILL MAINTAIN LOCAL PARK, DETENTION, WATER QUALITY AND/OR RETENTION AREAS. DETENTION AREAS WILL BE RE-VEGETATED WITH NON-IRRIGATED NATIVE GRASS. A COMMERCIAL AREA MAINTENANCE ASSOCIATION SHALL MAINTAIN COMMERCIAL/RETAIL PONDS AND DRAINAGE FACILITIES.

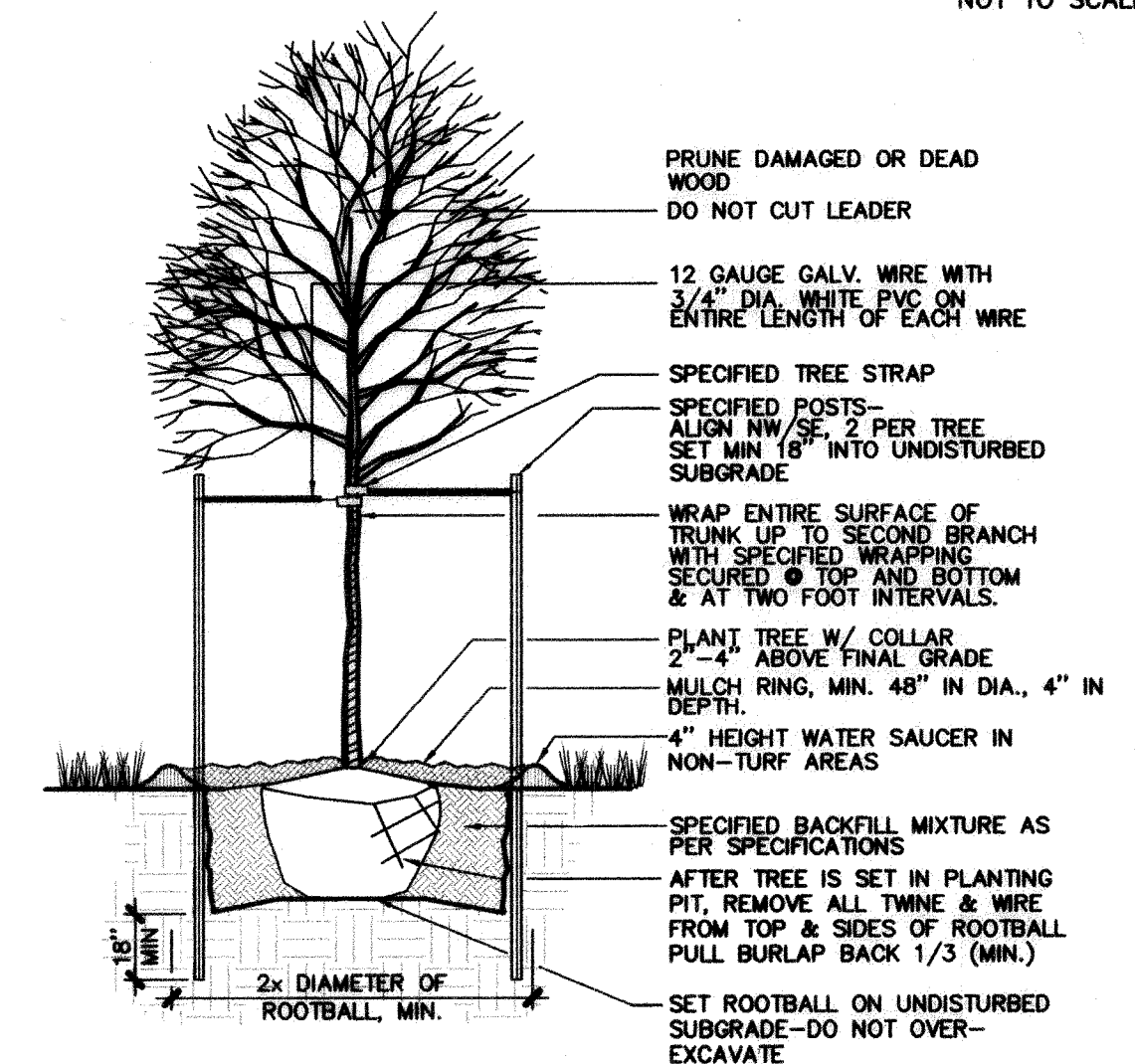
ALL PARKS WILL CONFORM TO COMMERCE CITY COMMUNITY PLANNING AND DEVELOPMENT SERVICES DESIGN STANDARDS AND SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE COMMERCE CITY COMMUNITY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT DURING THE PUD PERMIT PROCESS.

PLANT MATERIAL TYPES FOR PARKS SHALL INCLUDE BUT NOT BE LIMITED TO THE SPECIES LISTED IN THE PLANTING LEGEND. ALL ADDITIONAL PLANT MATERIAL WILL CONFORM TO THE CITY OF COMMERCE CITY "APPROVED PLANT LISTS AND LANDSCAPING SPECIFICATIONS."

SEE SHEET 6 FOR CONCEPTUAL PARK LAYOUT. THIS LAYOUT IS SCHEMATIC AND SUBJECT TO CHANGE.

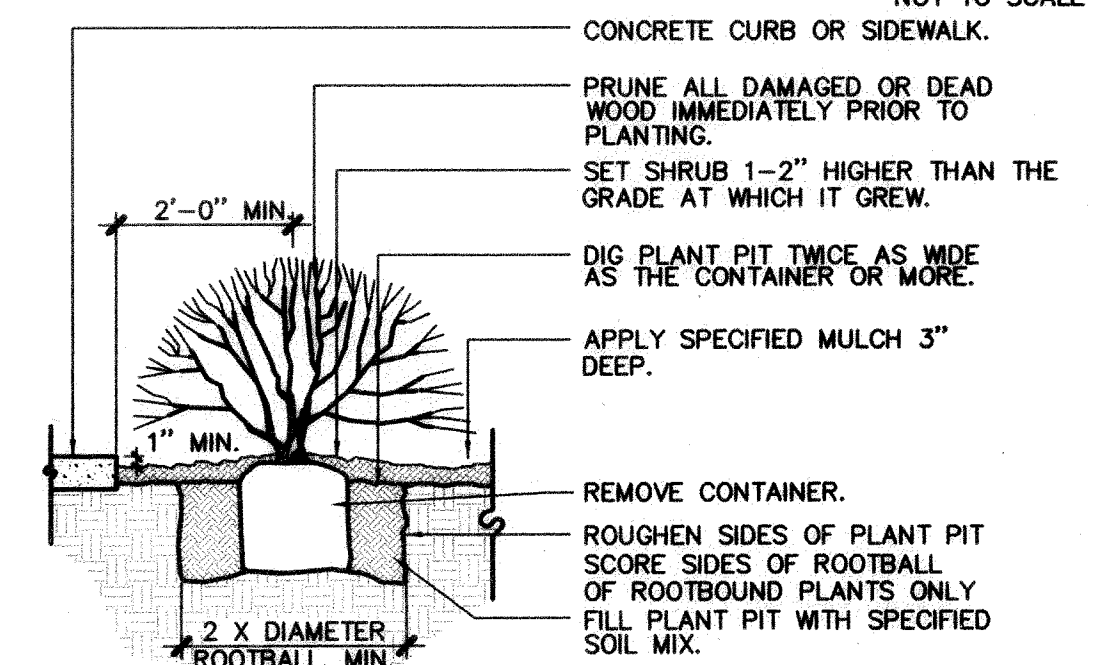
DECIDUOUS TREE PLANTING

NOT TO SCALE



SHRUB PLANTING

NOT TO SCALE



NOTE: ANY BROKEN OR CRUMBLING ROOTBALL WILL BE REJECTED. REMOVING THE CONTAINERS WILL NOT BE AN EXCUSE FOR DAMAGED ROOTBALLS.

NOTE: HOLD GRADE 1" BELOW EDGE OF WALK OR CURB

ENGINEER & SURVEYOR:



DEVELOPER:

88TH & TOWER, LLC.
1380 17th Street
Denver, Colorado 80202
(303) 573-0066

PLANNER:



SITE DESIGN, LAND PLANNING
& LANDSCAPE ARCHITECTURE
PHONE: 303-992-2666
FAX: 303-992-0994

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INSTRUMENT #

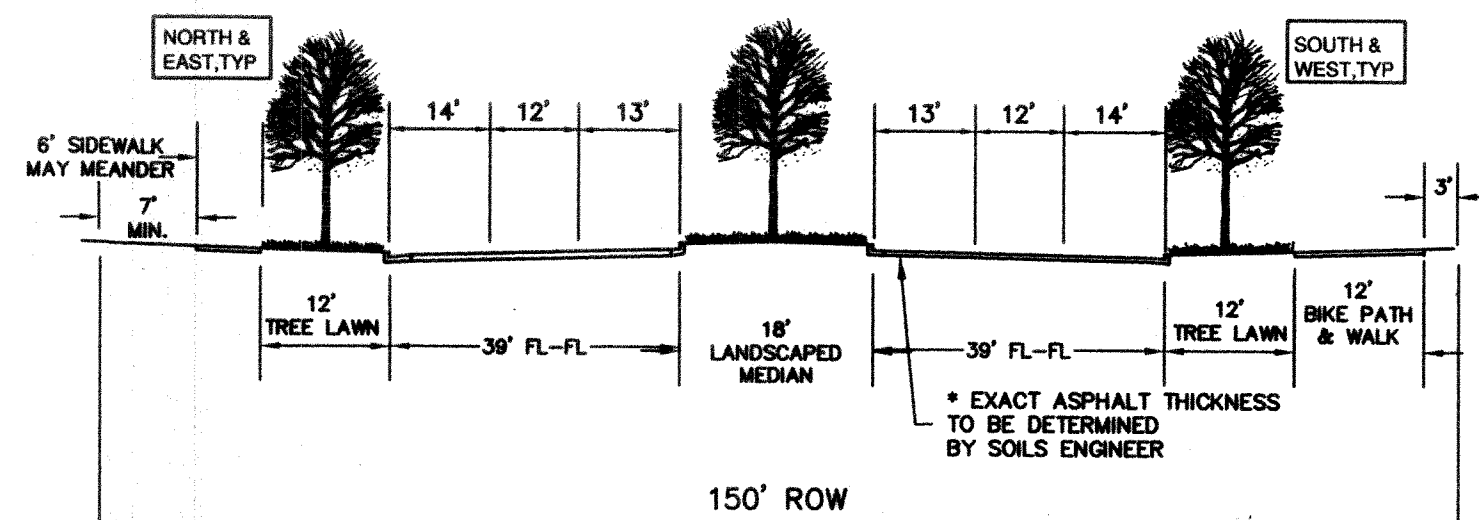
DATE: 11.1.04

SECOND CREEK FARM

PUD ZONE DOCUMENT

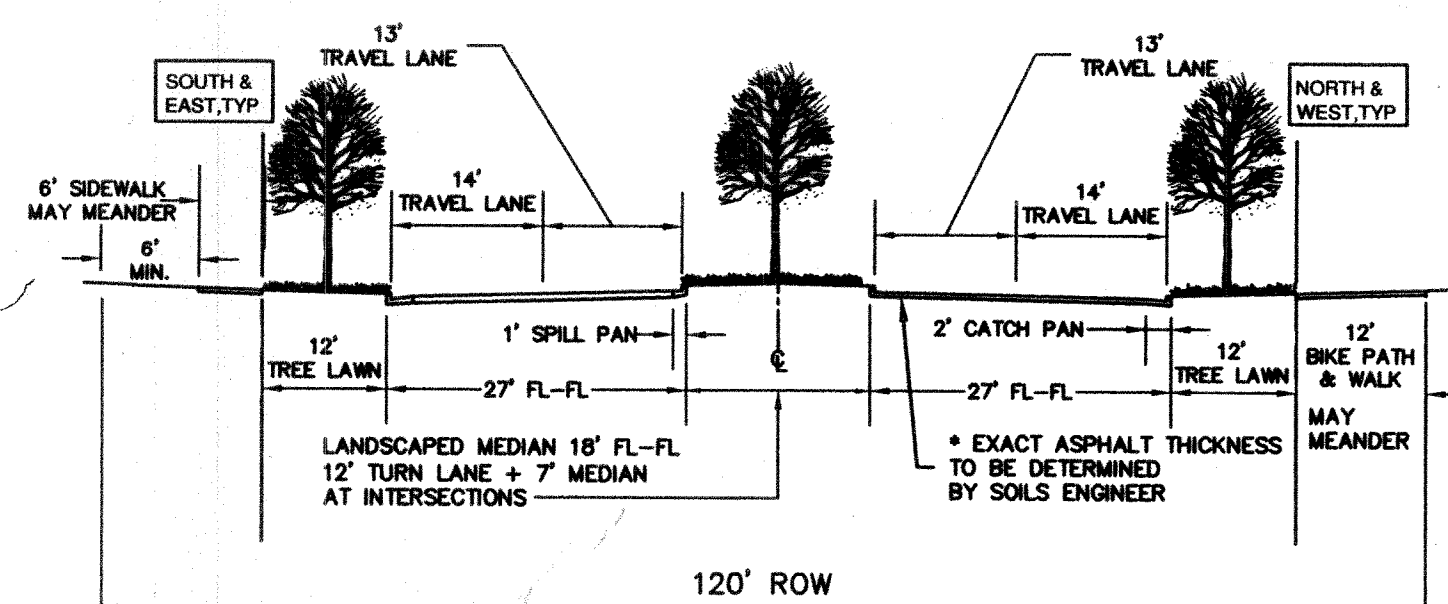
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SHEET 9 OF 9



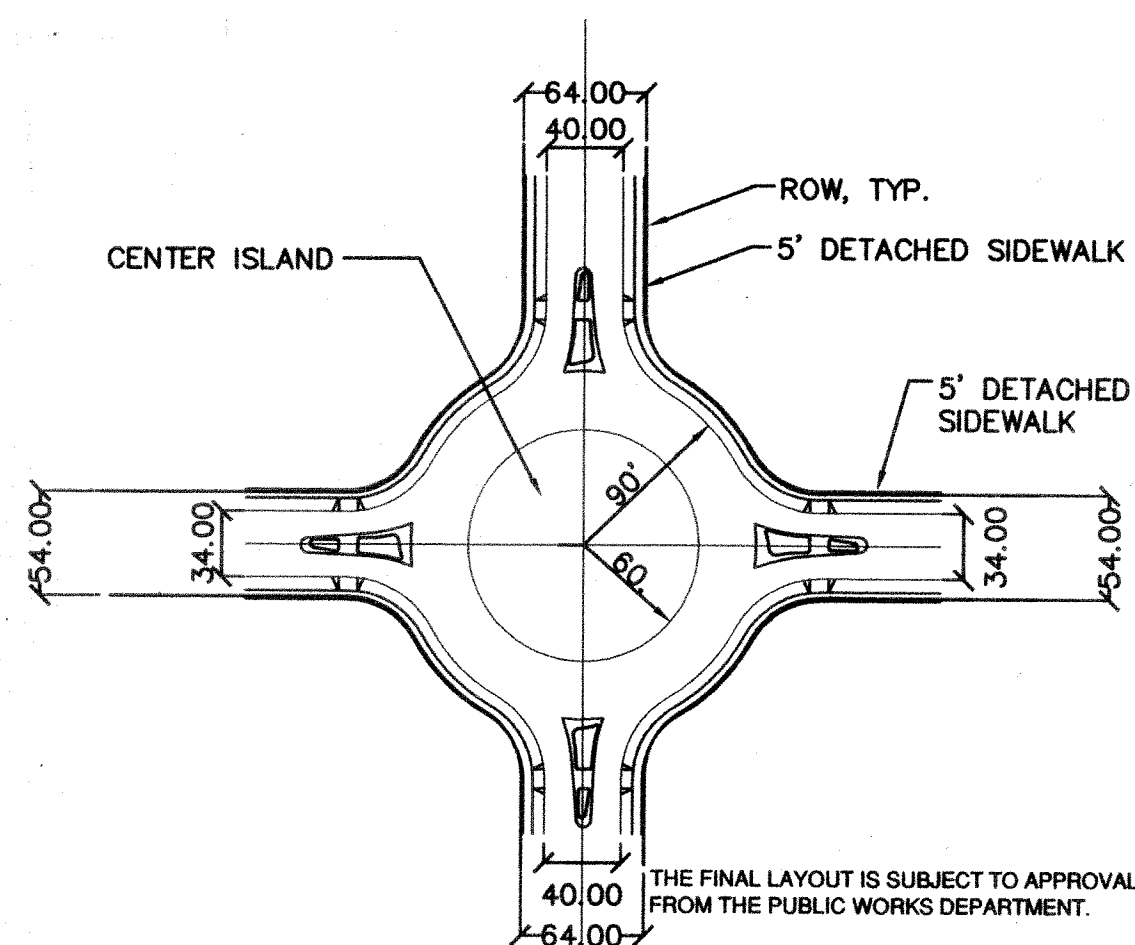
PRINCIPAL ARTERIAL- TOWER ROAD

NOT TO SCALE



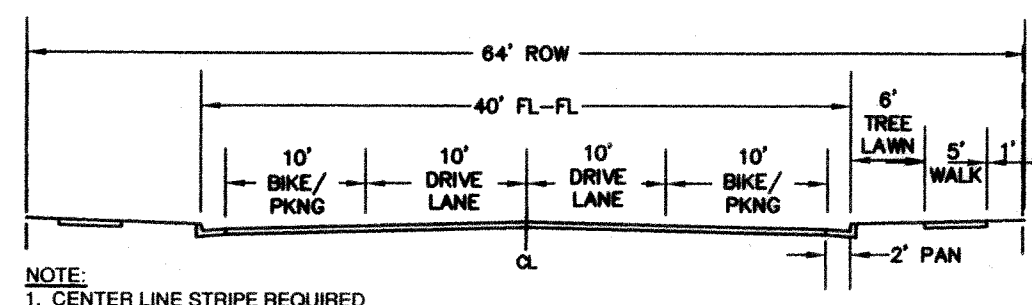
MINOR ARTERIAL- 96TH AVENUE

NOT TO SCALE



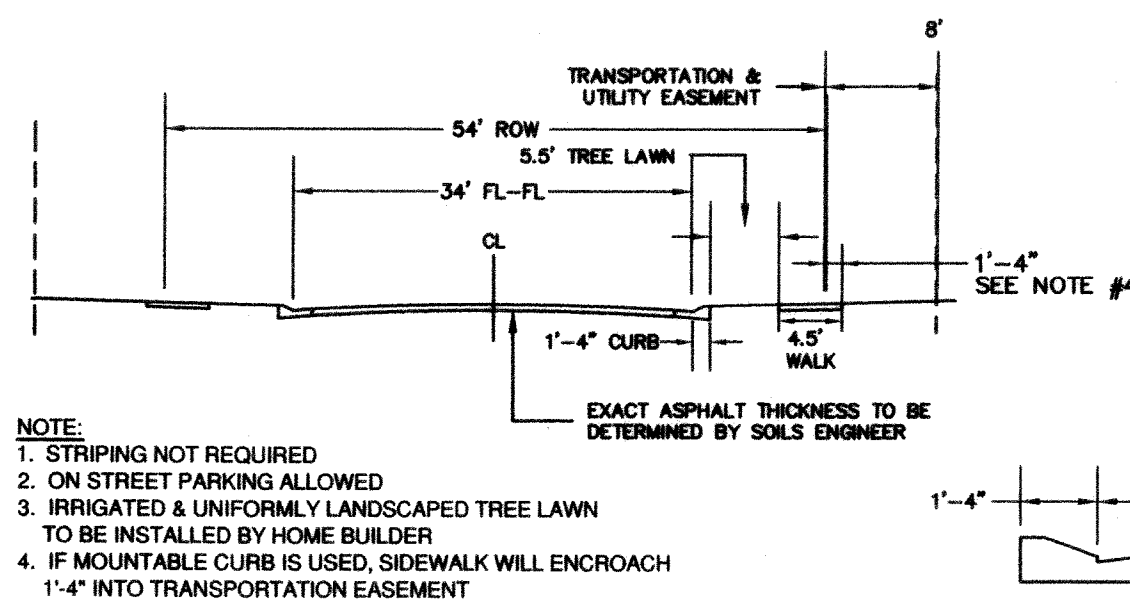
EAST ROUND-ABOUT

SCALE: 1" = 100'



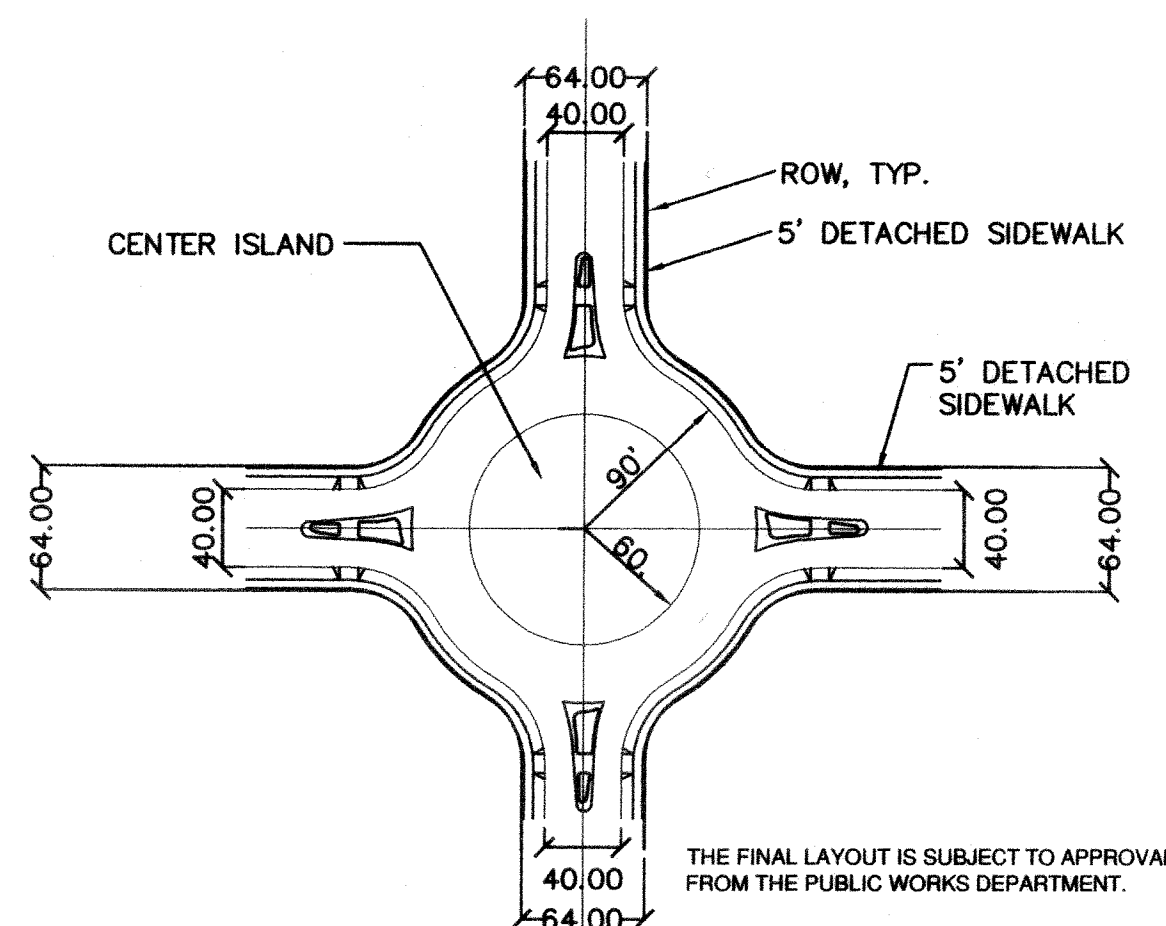
MINOR COLLECTOR E. 92ND AVE & TELLURIDE ST

NOT TO SCALE



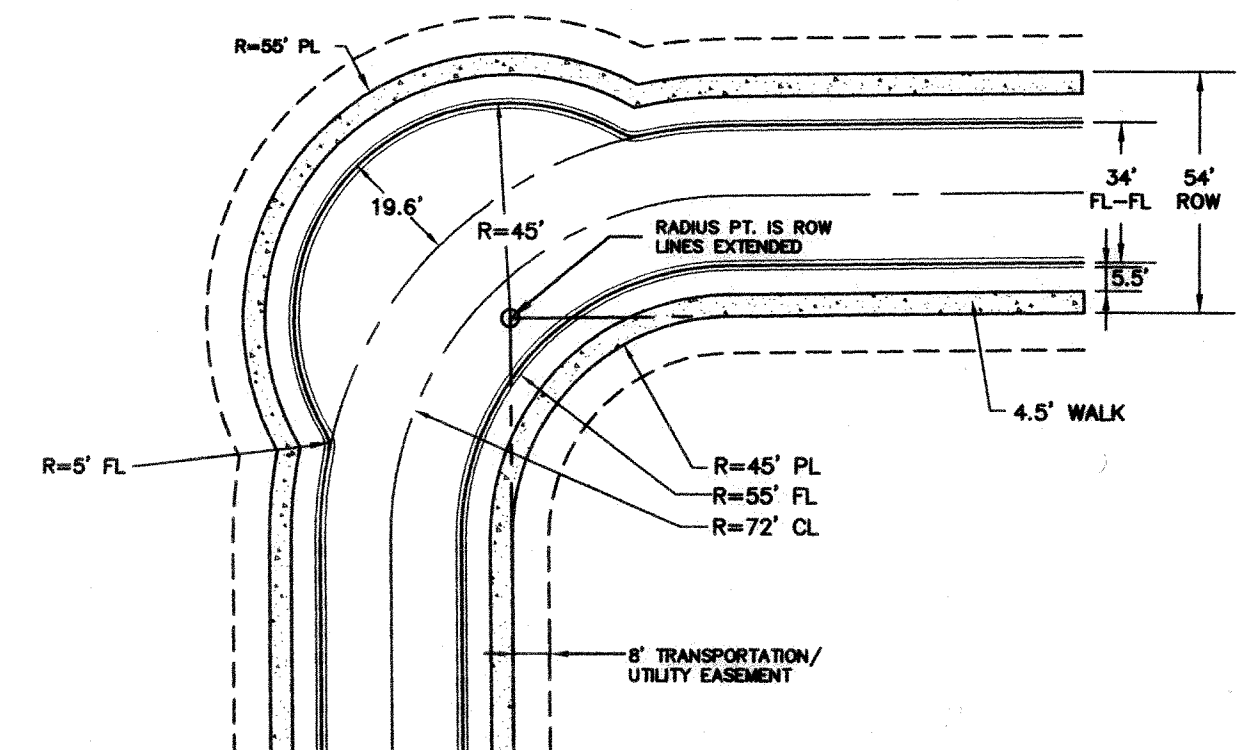
LOCAL RESIDENTIAL WITH DETACHED WALKS (NO ALLEY)

NOT TO SCALE



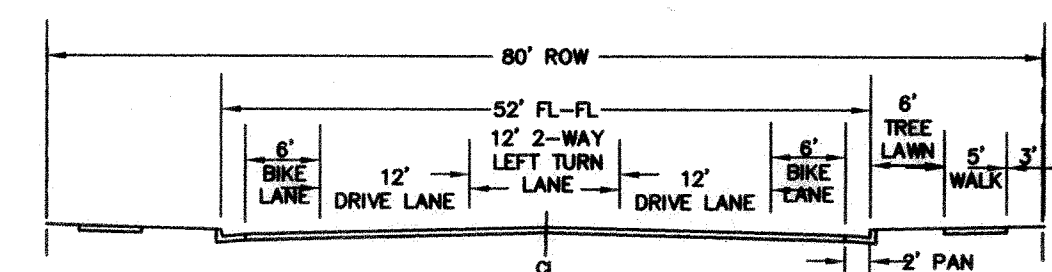
WEST ROUND-ABOUT

SCALE: 1" = 100'



RIGHT ANGLE LOCAL STREET WITH DETACHED WALK (54' ROW) EYEBROW TREATMENT

NOT TO SCALE



MAJOR COLLECTOR- 88TH AVE

NOT TO SCALE

ENGINEER & SURVEYOR:



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