

7/8/2022

Renaë Stavros, ACIP

Town of Superior

Town Hall: 124 E Coal Creek Drive

Superior, CO 80027

Re: Narrative Response to FDP Questions and Concerns

Dear Renaë,

The Project Team for STC FDP 10 has reviewed the Town and public comments received at the prior Town Board hearing. We have attempted to capture all of the discussion with additional narrative below in a question-and-answer format. Thank you for your consideration, and we look forward to continuing work with you through this transformational project.

***Concern:** "It feels like you have to drive through a private office campus to get into Downtown Superior. This needs to feel like a walkable, vibrant community and integrate better with the planned commercial core."*

Response: Office use is an important part of a mixed-use environment, and will add (rather than detract) from the urban scale, energy, and walkable nature of Downtown Superior. Rather than an empty dirt lot, or surface parking lot (which was shown in previous marketing material to accompany a grocery store) the proposed office continues the "urban street wall" from the existing mixed use main street buildings currently under construction by Carmel Partners. Maintaining this consistent urban street wall along main street was a major goal of the PD, as evidenced by the 0'-10' max setback along main street on Block 5 and 0'-15' max setback along main street on Blocks 2 and 8. (As an aside, the previous grocery store shown in marketing site plans would have required a variance from the PD.)

Building A steps back the upper floors along Main Street to provide a 1-story pedestrian scale storefront element along the Main Street pedestrian walk. The design has been improved in response to comments at the 6/27/22 board hearing by adding another pedestrian plaza for outdoor seating and indoor/outdoor connection in front of this single-story element, as well as enhancing pedestrian scale architectural elements (awnings and storefront glazing) to better integrate with the existing Main Street buildings currently

under construction and connect an enjoyable and continuous pedestrian experience all the way from McCaslin to Superior Drive. This is illustrated on slide 6 of the presentation.

An opportunity for mural artwork and pedestrian plaza improvements have also been illustrated on slide 5 of the presentation, which extend the eclectic nature of Downtown Superior public spaces from McCaslin through Main Street into the Main Street Plaza at the corner of Main and Superior and reduces any perception of a “curtain” of office space. The intent of the design is to continue the pattern of interesting public pedestrian spaces from the existing Main Street improvements all the way out to McCaslin.

Concern: “The buildings are too massive along McCaslin, will block views and create a barrier to entering Downtown Superior”

Response: The buildings are consistent with the allowed height established by the approved PD. The PD also established maximum setbacks (0-10’ on Block 5, 0-15’ on Blocks 2 and 8) which not only encourage, but require building massing to be placed immediately adjacent to Main Street. This PD design philosophy places the importance of urban placemaking and pedestrian experience above the impact to views, within the limits of height and density established by the PD.

Concern: “Is the landscaping proposed sufficient to screen equipment and parking areas?”

The landscape design will meet or exceed the plant material size requirements of the Town Center Design Guidelines. This landscape narrative is organized into three-character areas of the project as follows:

Perimeter Buffer:

The perimeter buffer around the north, south and west edges of the overall site are inspired by the views and natural character of the close by Foothills landscapes and angled geological rock formations. A more native looking plant palette of trees and grasses is proposed that resembles the Colorado Foothills landscape but incorporates a higher density and placement of plants in a more formal placement arrangement. These areas will have permanent irrigation system to help get the plants established and maintain healthy moisture levels throughout the dry months. Shaped and directional earth mounds with native plantings will also create visual interest and help guide views to the front range. In addition, the landscape areas to the west of Buildings A and B on Blocks 5 and 8 will have low scale trees in this area that will be shorter and wider in form so that views from the upper levels of the buildings are not blocked while still at the same time adequately provide screening of the parking lot and service area walls. The surface parking lot area adjacent to the south of Building A will be sunken relative to the existing surrounding grade and planted with shrub rows along the South, East, and West edges to help screen the parking lot. Parking lot islands will contain trees on a regular spacing with evergreen and deciduous ground plane plantings. Along the east edge of Building C, the parking structure,

from the back of curb along Marshall road a shade tree lined edge will be planted between the back of curb and sidewalk. Between the back of sidewalk and the garage face a triangulated row of 10 foot on center tightly spaced upright evergreen trees will be planted. The potential 5-degree rotation of the garage proposed in this new submittal provides additional landscape width and planting material to help screen the garage and transition into the parks to the north. The ground plane will also incorporate a layer of shrubs and ornamental grasses to provide visual interest at street eye level.

Interior Courtyard:

The landscape within the interior park courtyard between Buildings B, C, D will be an enhanced native palette providing more of park like, pedestrian friendly experience between the buildings. Shade trees will be provided at a variety of outdoor seating and common amenity areas with ornamental trees that will punctuate building entry points. Tall evergreen trees will be provided along the west facade of Building C the parking structure to help with screening from the adjacent residential areas and the park. The understory shrub plantings will be densely planted to create calmer garden like experience. At the entry to the courtyard park space which will be open to the public, earth berms framing either side of the entry will help shape the arrival experience into the inner development experience. Additional wood topped seat wall benches will carve into the sides of these berms to accentuate the rigidity of geological rock formations while providing more breakout and common gathering areas. At the East side of Building D, a lawn panel which is ADA accessible from the building is perched upon the open landscape area to provide a space for outdoor games, barbecues, and other events. At the center of the courtyard space a special landscape treatment or potential art feature can become a visual focus.

Main Street:

The street tree rhythm and spacing of trees along Creek View Way, and Marshall will be located in a tree streetscape edge along these streets with a detached sidewalk behind the streetscape edge. These areas will be composed of shade trees, planted with native grasses and shrubs that require less water than traditional turf and will match the density and spacing of the current streetscape edges existing to the east along Main St. The shade trees will continue at the same rhythm and selection of street trees existing at the east end of Main St. and provide shade and solar relief along the street edge and south façade of building B and C.

Concern: "Downtown Superior Isn't included in the Branding."

Response: The project has been branded "Coal Creek Innovation Park at Downtown Superior." The project is a vital component of the Downtown Superior Master Plan, but we think that the parent brand of "Downtown Superior" needs to keep its integrity as an authentic public Main Street destination, rather than co-opting it as the main brand mark for any specific private development within the project. **"Coal Creek"** references the

proximity to the creek and is a well-known regional descriptor and **“Innovation”** is a commonly used reference to the inherently innovative work performed in life science buildings. A driving concept behind our project site plan and landscape design was to draw in the adjacent 20-acre creek-side park and blur the line between public park and private property. As such, we thought **“Park”** was a perfect descriptor for the project (rather than “campus, or center,” etc.) Downtown Superior is acknowledged as the regional destination, below the main brand mark.



Concern: “Will a private cafeteria be installed with the office, discouraging office workers from using nearby restaurants”

While we don’t want to discourage larger tenants who may be interested in moving to Superior, we also understand the need to incentivize use of neighboring retail establishments. Applicant proposes a condition to not allow any private cafeteria or food hall larger than 4,000 SF unless such cafeteria/food hall is open to the public. A 4,000 SF food service use would be expected to be approximately 50% kitchen, 50% seating. A 2,000 SF seating area at 15 SF per person would be able to serve a maximum of 133 people at a time.

Concern: “Can you add a CMU wall around the generators to mitigate the occasional noise associated with monthly testing and emergency operations?”

Agreed, applicant accepts a condition that any permanent exterior auxiliary power generator shall be screened by a CMU block wall with appropriate exterior finishes to compliment the architecture of the project.

Concern: *“How are equipment areas screened”*

Equipment areas will be screened with 8’ tall aluminum louver walls designed to complement the building architecture, and landscaping as shown on sheets A6.0 and L0.1 of the FDP.

Concern: *“Additional parking garage screening recommended along Marshall Road. This can be accomplished through a combination of building enhancements and landscaping. We heard public comment from Carmel that the current screening of the parking garage would negatively impact their development. I’d like to see a scenario which this project and the Carmel project compliment and enhance each other rather than detract. Can you provide insight into how you’re collaborating with Carmel and responding to their comments?”*

Applicant met with Carmel Partners on 6/15/22 and 7/6/22 to discuss the project, which discussion focused on the issue of garage adjacency to the Block 6 wrap building and garden apartments. In response to Carmel’s latest requests, Applicant has agreed to update the site plan to rotate the Building C parking garage approximately 5 degrees counterclockwise, which opens view angles looking north on Marshall Road and increases the landscape setback at the north end of the garage along Marshall to approximately 20 feet. The architecture of Building C has also been updated to add solid metal-panel walls to the northeast and southeast corners, which provide architectural interest and help to screen the corners of the garage. The remainder of the façade is an upgraded architectural precast concrete spandrel panel, with custom formliner pattern and charcoal color admix, which will provide a refined finish consistent with the contemporary architecture found throughout the project. The solid spandrel panels also ensure no impact from headlights on neighboring properties. The top level of the proposed garage was removed after the Planning Commission hearing in order to improve project massing, which has not changed since the last Town Board hearing.

Concern: *“The applicant’s parking summary concludes there is no need for Shared Parking because enough parking already exists. As retail uses are proposed some need for shared parking seems to exist, which is not explicitly addressed in narrative or FDP plans. Overflow parking for event planned for DTS once is built out also does not appear to be considered.”*

At least 22 Spaces in the parking garage will be reserved for retail and visitor use, consistent with the PD requirement for 1 space per 330 SF. Applicant will accept a condition that it be “required to coordinate with town staff from time to time on an as-needed basis to negotiate reasonable terms for the town’s temporary and occasional use of special event parking within project parking areas, which shall include provisions for cost sharing and insurance requirements. The town’s use of private parking shall not be required to the extent that it has any negative effect on property value, operations, or marketability for leasing or eventual sale of the property.”

Concern: "How is lighting for rooftop parking mitigated so as not to create a nuisance for neighboring properties?"

The Garage interior shall be illuminated by wide distribution luminaires with advanced optics for uniformity and glare control. Daylight transition areas shall be scheduled for time of day need, and utilize a higher wattage as required to limit luminaire quantities. The top garage deck shall be illuminated utilizing full-cutoff luminaires on 20' poles placed towards the center of the deck where possible for reduced light trespass. Interior and exterior luminaires shall include integrated controls for reduced energy use depending on occupancy and daylight contribution. Occupancy sensors will activate the lights upon sensing movement in a specific lighting zone, and the lighting in the garage will be reduced to minimum code-required output when not in use.

Concern: "Section 4 of the SIA states that the public improvements for Phase I shall be completed by 12/31/26 and Phase II shall be completed by 12/31/29. I think our community would be frustrated if we allowed for such long lead times. What can we do to reduce the length of those timelines?"

The public improvements subject to the SIA are predominantly underground utilities which serve only the Coal Creek Innovation Park buildings. The community should have no interest in when these are completed, as there's no use for them prior to completion of the Project. There are some limited public pedestrian improvements (street trees, etc) subject to the SIA, but they do not make sense to install prior to the completion of the adjacent buildings, as they would likely be damaged and need to be replaced anyway upon construction of the private property. In any case, applicant will build the project (including SIA improvements) as quickly as possible, given financing, market, and construction constraints. Applicant will agree to shorten the SIA window to 6/30/2026 for Phase I and 6/30/2029 for Phase II. Any shorter period for construction may complicate project financing, as a performance bond must be posted for SIA improvements.

Concern: "Staff is recommending that as a condition for approval that a parking agreement be required prior to the issuance of a building permit for either Lot 1 or 3 and that construction be sequenced to ensure the Life Science buildings develop in step with their associated parking needs. Any objection to that condition?"

Applicant has no objection. A reciprocal parking easement or similar document will be drafted and recorded concurrent with the plat.

Concern: "Applicant must demonstrate that reflectivity will not be an issue through required building permits or take measures to further mitigate negative impacts associated with reflectivity. Demonstration may include addition reflectivity studies required of the developer."

Perkins&Will commissioned a thorough glare/reflectivity study, produced by Dr. Cheney Chen, that was summarized in the last Town Board meeting; we have attached the entire report in the appendix of this narrative. The study analyzed glare as a result of the glazing and considered the glass specification, building geometry and site placement relative to annual solar patterns. In summary, the analysis indicates there are no adverse effects from the development's glazing on the adjacent property or rights-of-way.

Concern: "Interior lighting on glazed end elevations must be mitigated after business hours by either reducing standard illuminance sufficiently or turning lights off altogether, consistent with the Town's standard lighting and signage regulations that prohibit off-site impacts." Do you have any objections to this condition?

Applicant has no objection.

Concern: "Sheet LT1.3 includes the luminaire schedule with specifications for each light and details for each of the three lights proposed are also included. This plan needs to be updated to clarify the finishes selected, which need to be coordinated and presumably will be black to match other lights in Downtown Superior." Can we please get this clarification added to the application?"

Luminaires will be a matte black finish to match other lights in Downtown Superior. Applicant will accept a condition to this effect and/or add the clarifying finish selections during technical corrections, prior to recordation of the FDP.

Concern: "Can you clarify that the project will include solar panels?"

The use of photovoltaic solar panels in this project will require additional analysis in the context of project financing and tenant lease structures. The project is pursuing LEED certification, with the highest level of certification feasible. The use of photovoltaics in any multitenant commercial building is governed largely by local utilities and state law, which govern the ability of individual tenants to purchase power from a single onsite renewable energy source. Photovoltaics will be considered for the project, but Applicant cannot currently accept any condition regarding a requirement for photovoltaic solar panels.

Concern: "Can you also clarify the number of electric vehicle stalls (and their level of classification) that will be provided?"

Consistent with the LEED rating system, Applicant plans to install Level 2 chargers for a minimum of 48 parking spaces. Applicant accepts a condition to this effect.

Concern: "It's not clear how much of the ground floor storefront space on Building C will be leased as true retail versus amenities for the office users."

Applicant has updated the Use Summary Table on Sheet CS1.1 to show 7,000 SF Retail Use. The 7,000 SF is approximately the eastern two thirds of the ground floor space wrapping building C, which faces Main Street and is fronted by convenient angled Main Street parking. The western portion of this space (which is reserved for amenity use) predominantly faces west into the courtyard, and is not ideal for retail leasing.

Concern: "Several residents commented on how they feel important volumes of retail have been removed. One way to help address and alleviate this concern could be to make the entire 11,740 sf proposed for building C retail. This would then shift the amenity space into one of the adjacent buildings. Is this something that could be explored and considered?"

No retail space has been removed from the PD. This area has always allowed commercial office use. We believe it is important to reserve some portion of building C ground-floor space with the potential to provide bicycle and other support facilities connected to the parking garage and large bicycle parking area at the 1st floor of the garage. Bicyclists commuting to and from work benefit from a private space to shower and change before entering the main building lobbies. This could also be a good location for a gym and/or other alternative transportation options, which again makes sense to be in a central location between the garage and office uses. Consistent with the PD and Transportation Demand Management program, we want to make alternative transportation as easy and enjoyable as possible. This small amenity space is a big part of that.

Concern: "It still wasn't clear to me if this building is envisioned to be populated and used by tenants round-the-clock or more aligned with standard business hours. Can you clarify? If round-the-clock, can you speak to how that could impact the surrounding community? I think I heard Bill say that this will be early stage R&D and will not include heavy weekend use, but would like to confirm.

Successful life science companies typically go through a 4-stage "life cycle", which is typically about a 10-year process:

- 1) Research (looking for a workable solution)
- 2) Development (refining and replicating the potential solution found during research)
- 3) Clinical Manufacturing (scaling up production for clinical trials)
- 4) Commercial Manufacturing (large scale commercial production and distribution, typically in a separate GMP facility.)

Coal Creek Innovation Park is designed to support the early stages of this life cycle, namely the Research and Development phases, which are not focused on heavy manufacturing or production. Clinical and Commercial manufacturing generally require even larger clear heights, energy and water requirements than will be supported in these buildings. While Applicant would not support any condition that limits the use of private property to certain

hours, we do not expect heavy usage of these office and lab spaces outside of normal working hours.

Understanding Alternative Uses an Opportunity Cost:

Concern: “Beyond life sciences, what other uses are currently in demand in the market that meet the PD requirements or are reasonable alternatives? Stated differently, if not a life science use, what would the likely alternative use be?”

This land (Block 2, 5 and 8) has been openly marketed by RC Superior (through Cassidy Turley and Cushman & Wakefield) as a pad-ready office development site since September 2014. RC Superior has been open to entertaining offers from any use consistent with the PD, which have included seniors housing, multifamily apartments, additional townhomes, and office, none of which have seriously pursued a purchase of the land to-date. There is currently strong demand for residential use in the metro area, and the land could likely attract additional townhomes and multifamily apartments. The PD does not allow residential uses along McCaslin, however, (shown as a black strip on PD Sheet CS1.3), so a residential application may require PD amendment. Additional residential uses would also be a missed opportunity in terms of attracting significant daytime use to help activate Main Street retail spaces, and would not generate as positive a benefit on tax revenues and Metro District budgets.



Concern: “Do you have any other alternative uses lined up as a back-up? Whether the answer is yes or no, what is the shortest and most likely time period with which you would be able to bring an application back to the town for an alternative use?”

There are no alternative uses in a clear “back-up” position. RC Superior could likely attract additional townhomes and multifamily apartments if the Town Board committed to amending the PD to allow such uses along McCaslin. In that event, If PMB released its existing purchase and sale agreement it would take approximately 6 months to market the property and enter into purchase and sale agreements, 6 months to engage architects and draw new FDP plans for submittal, and 6-12 months to work with Staff through FDP comments, revisions, and Planning Commission ahead of a Town Board Hearing. Best case scenario, it’s a minimum of 18-24 months before an alternate FDP would be heard by the Town Board.

Understanding Economic Impact:

Town Staff is preparing a detailed summary of property tax impacts associated with the project. From a concept standpoint, there are three main issues to consider:

- 1) The Metro District has outstanding debt which has helped to fund all of the public roads, parks, plaza and other public improvements in Downtown Superior. The Metro District is currently using a capitalized interest reserve to help fund its debt service (ie, it does not have sufficient tax revenue to cover minimum debt service this year.) The Metro District depends on the additional commercial development (which was previously forecast consistent with the approved PD uses) in order to balance its debt service budget over the coming few years.
- 2) The Metro District is also forecasting an operating budget deficit for 2022. The Metro District needs the operating mill revenue from additional commercial development to balance the operations budget. Coal Creek Innovation Park will generate significant operations mill revenue, and will not materially add to Metro District operations costs, since all of the additional improvements associated with the project will be privately maintained. If additional commercial development is not approved or built quickly enough, the Metro District will either need to assess additional fees on existing Downtown Superior property owners, or reduce its operating costs via reduction of services.
- 3) The existing Metro District bonds are eligible for refinance as soon as 2025. With more property actually built, assessed, and generating TIF revenue, the Metro District may be able to refinance existing debt into a lower-interest refinance bond package which would reduce the District’s total cost of debt ultimately allowing the District to reduce either the amount or the duration of debt service mill levies assessed on property owners. The actual revenue generated from additional development also helps to reduce the burden on existing property owners, just by nature of providing additional AV and TIF revenue available for the District’s (and ultimately the Town’s) use.

Another important factor is that daytime employment is an important driver for attracting retail tenants to fill the retail spaces currently being built by Carmel Partners, as well as the

additional retail space proposed in Coal Creek Innovation Park, Building C. Bringing a substantial amount of daytime employment to the project is absolutely critical to the success of creating the mixed use, vibrant walkable atmosphere that has long been promised at Downtown Superior. Restaurants cannot survive without a thriving lunchtime service, and other service uses (boutiques, fitness, salons, etc) all benefit from the traffic and convenience generated by having a good mix of office (daytime) and residential (nights and weekends) activation.