



October 6, 2022

Town of Superior
Mr. Steven Williams,
Planning and Building Manager
124 E. Coal Creek Drive
Superior, CO 80027

Re: Final Development Plan 9 - Amendment #2
Superior Town Center, Planning Area 2, Blocks 9 and 10

Staff:

On behalf of the applicant Carmel Partners ("Carmel"), along with the project design team, we submit this FDP amendment for Blocks 9 and 10 within Planning Area 2 of Superior Town Center to the following previously approved applications:

- Final Development Plan for the private improvements within Blocks 4, 6, 7, 9, 10, and 11 (**FDP 9 Amendment 1**)

The narrative for this amendment is provided on the following pages.

Sincerely,

Anthony Blout
Development Director
Carmel Partners



SUMMARY

Proposed Amendment to Superior Town Center FDP 9 Amendment #1. This is the second amendment of FDP 9.

Background:

In 2Q2022 Carmel Partners received administrative approval on FDP 9 Amendment #1. The changes incorporated into this revision were design changes prompted by Carmel's purchase of the property and were based on the goal of increasing constructability, marketability and market fit for the project. The changes incorporated at that time include:

- Modifications of less than 1% to the residential unit mix and total unit count
- Correction to the Live/Work commercial NRS calculation
- Modifications to the Parking Requirements and Parking by Zone Requirements
- Modification to Bike Parking and Locations
- Modifications to Certain Building Elevations

Overview:

The approved Superior Town Center FDP 9 Amendment #1 ("FDP") consists of: 14 residential and mixed-use buildings (blocks 6, 7, 9, 10 and 11), 4 freestanding retail buildings (blocks 4 and 7), a central public plaza (Parcel K in Block 7), a public pedestrian promenade (between blocks 6 and 7), and 64 Rowhomes on Blocks 9, 10, and 11.

Carmel controls the following development within the FDP:

- 10 3 story multi-family residential buildings on Blocks 6 and 7, with a pedestrian promenade centrally running between buildings,
- a 5,204 sf freestanding commercial building on Block 4,
- 16,122 sf of freestanding commercial comprising 3 commercial buildings on Block 7 facing a public plaza (Parcel K),
- a 4-story (5-story garage) mixed-use residential and commercial building with structured parking on Block 6,
- Three mixed-use residential over commercial buildings lining the south side of Main Street (Blocks 9, 10 and 11)

Parcel K and the public promenade are owned by the town of Superior. The Rowhome property is also not owned by Carmel.

Purpose:

The purpose of this FDP modification request is to propose the following revisions to the FDP. The applicant believes that the following revisions are within the bounds of what was initially contemplated in the PD and the original FDP Amendment #1 and thus could be approved administratively, but Town Staff has requested this be reviewed by the elected authority and Carmel is offering this narrative as an outline of the proposed changes, including:

1. Convert inline retail in Buildings 9 and 10 to 13 Live Work units
 - This conversion is expressly permitted by the FDP and the proposed squarefootage change in this amendment is inline with the allotted amounts in the entitlements (21,580 sf per CS1.1)
 - FDP 9 Amendment #1 allowed for conversion of 6,045sf of this allotment in building 6-01
 - FDP 9 Amendment #2 would allow for conversion of 15,536sf additional feet in Building 9 and 10 for a total of 21,581sf
2. Increase of Commercial “Work Area” within Building 9 and 10 as outlined on FDP 9 Amendment #1 CS1.1
 - Based on updated layouts Carmel is proposing to increase the commercial area in the Live Work scenario by 180sf
 - FDP 9 amendment #1 outlined 8,400sf of “work area”, Amendment #2 proposes to increase this to 8,580sf
3. Add Additional Live Work Area to the plan by creating mezzanines in 13 Live Work units in building 9 and 10
 - The Live Work units proposed for building 9 and 10 total approximately 20,878 squarefeet
 - The Live Work units approved in FDP 9 Amendment #1 total approximately 9,159 squarefeet
 - Together, Live Work area in this amendment total 30,037 squarefeet within the plan area
 - Town Staff has cited a 2019 Morgan Ranch Narrative of PD Amendment #5 which outlines total Live Work area as 23,383 squarefeet
 - At the time of the 2019 amendment, mezzanines were not contemplated in block 9 and 10, therefore the estimated squarefootage allocated to Live Work was less than currently proposed
 - The current proposal represents a 6,654sf variance from this described allotment, a change of approximately 1.1% of total gross project squarefootage (614k sf)
 - All Live Work area is additive and results exclusively from the inclusion of mezzanines in these units
 - No additional retail will be lost in this conversion beyond that contemplated in the original FDP
4. Provide design context for the Live Work mezzanine plans currently proposed for building 9 and 10
 - Live Work Units with Mezzanines
 - According to Staff, mezzanines were not previously contemplated in building 9 and 10
 - Per the PD and FDP Typology L, Live Work units with mezzanines up to 2 bedrooms are a permitted use type for buildings 6, 9 and 10.
 - As multifamily experts, and with the council of leading retail experts, Carmel is proposing this change to increase the viability and leasability of these units (see section below as well as broker support letter attached)
 - Ceiling heights
 - Clear heights within the Live Work units were raised as a concern by staff based on history of other project reviews in the Town of Superior, not specific to the Superior Town Center PD
 - Minimum ceiling heights are not specifically codified in the FDP or the Live Work Typology L in the PD.
 - All proposed designs meet IBC and local building codes
 - Narratives and plans are provided as design context for Staff review but the applicant does not believe this is a change to any element of the current FDP/PD.

Pursuant to the above, the following narrative outlines the context to the proposed minor revisions the FDP



1) Retail to Live Work Conversion:

In the approved FDP, two scenarios are outlined: 1) Without Live Work, and 2) With Live Work. In each of these scenarios a mix of residential and commercial areas is outlined, with the “With Live Work” option allowing for as many as 21 Live Work units across the plan area. The “With Live Work” scenario allows for the elimination of 21,580sf from the “commercial” use category to facilitate the construction of Live Work units within building 6, 9, and 10. (See FDP 9 Amendment #2 sheet CS1.1).

As of Amendment #1 of the FDP, and the building permits issued subsequently, 8 Live Works were permitted to be constructed in Building 6-01. This represented the conversion of 6,045sf of inline retail to provide for the construction of 9,159sf of Live Work units. These units which occupied the same footprint of the 6,045sf of inline retail but included mezzanines, thus accounting for the added net squarefootage.

Use Type	Without Live	With Live	Variance
	Work	Work	
Commerical -Restaurant	33,905	25,273	--
Commerical -NonRestaurant	39,338	26,390	--
Total	73,243	51,663	21,580

FDP 9 - Block 6 Changes			
Commercial Space (No Live-Work)			
Building	Restaurant	Non-Restaurant	Total
6	3,446	5,168	8,614
Total	3,446	5,168	8,614
Commercial Space (after Live-Work Conversion)			
Building	Restaurant	Non-Restaurant	Total
6	1,028	1,541	2,569
Total	1,028	1,541	2,569
	<i>Converted Retail SF</i>		<i>6,045</i>

FDP 10 - Block 9 and 10 Proposed Changes			
Commercial Space (No Live-Work)			
Building	Restaurant	Non-Restaurant	Total
9	5,676	8,513	14,189
10	5,978	8,966	14,944
Total	11,654	17,479	29,133
Commercial Space (after Live-Work Conversion)			
Building	Restaurant	Non-Restaurant	Total
9	2,807	4,211	7,018
10	2,632	3,947	6,579
Total	5,439	8,158	13,597
	<i>Converted Retail SF</i>		<i>15,536</i>

The proposed Amendment #2 outlines 20,878 sf Live Work area being implemented in Buildings 9 and 10 in place of 15,536 squarefeet of inline retail. The proposed 13 Live Work units in these building again occupy the same area as the converted retail, but include mezzanines, thus accounting for the added net squarefootage. This mezzanine area, while not previously contemplated by the prior owner, is a true net addition to the project and does not come at the cost of any additional retail space in the project.

Building 6	LW Unit	Commercial	Downstairs	Mezzanine	Total Live Work
		Work Area	Live Area	Live Area	
	L2A.1	400	381	405	1186
	L2A.0	400	386	405	1191
	L1A.0	400	464	0	864
	L2A.0	400	386	405	1191
	L2A.0	400	386	405	1191
	L2A.0	400	386	405	1191
	L2A.0	400	386	405	1191
	L2A.0	400	386	405	1191
	L2A.2	400	349	405	1154
	Total SF	3,200	3,124	2,835	9,159

	LW Unit	Min. Comm.	Downstairs	Mezzanine	Total Live Work
		Work Area	Live Area	Live Area	
Building 9	L2B.3	400	773	401	1,574
	L2B.0	420	760	400	1,580
	L2B.0	420	760	400	1,580
	L2B.0	420	760	400	1,580
	L2B.0	420	760	400	1,580
Building 10	L2B.4	400	799	421	1,620
	L2B.1	400	774	411	1,585
	L2B.0	420	760	400	1,580
	L2B.0	420	760	400	1,580
	L2B.0	420	760	400	1,580
	L2B.0	420	760	400	1,580
	L2B.0	420	760	400	1,580
	L2B.0	420	760	400	1,580
	L2B.2	400	985	494	1,879
	Total SF	5,380	10,171	5,327	20,878
		<i>Added Residential Area</i>		<i>15,498</i>	

With the approval of Amendment #2, the inline commercial space in the plan area converted to Live Work totals approximately 21,580sf, the exact amount initially slated for conversion in prior FDPs. This suggest this amendment is a minor change to the plan and is entirely within the contemplated scenario in the initial FDP.



2) Live Work Commercial “Work Area” Calculations:

Each of the live-work units includes a minimum of 400 sf of unencumbered workspace as required by Typology L in the PD. This “work area” does not include residential living space or restrooms. The total proposed commercial “work area” for the total 21 live-work units in the project is approximately 8,580 squarefeet. (3,200sf currently approved and under construction in block 6, an additional 5,380sf in the proposed additional 13 units on blocks 9 and 10).

The minimum 400 SF of commercial space per unit is measured per BOMA – halfway between demising walls, face of exterior wall. No stairs, living, kitchens encroach. Restrooms are not counted.

The total LW Commercial “work area” figure was updated in FDP 9 Amendment #1, revised from 10,319sf to 8,400sf. This is now being increased to 8,580sf in FDP 9 Amendment #2. The represents a minor adjustment of 180sf to the current FDP.

USE SUMMARY BY BLOCK - WITHOUT LIVE WORK								
	BLOCK 4	BLOCK 6 NORTH	BLOCK 6 SOUTH	BLOCK 7	BLOCK 9	BLOCK 10	BLOCK 11	TOTAL SITE
STUDIO		24	10	6	4	8	4	56
1 BED		52	55	28	18	16	18	187
2 BED		26	8	54	12	14	12	126
3 BED		6	3	0	2	2	2	15
ROWHOME UNIT - 2 BED					27	19	18	64
TOTAL UNITS		108	76	88	63	59	54	448
COMMERCIAL - RESTAURANT (NSF)	5,204		3,446	7,934	5,675	5,978	5,668	33,905
COMMERCIAL - NON RESTAURANT (NSF)			5,168	8,188	8,513	8,966	8,503	39,338
CIVIC SPACE			7,564					7,564

USE SUMMARY BY BLOCK - WITH LIVE WORK								
	BLOCK 4	BLOCK 6 NORTH	BLOCK 6 SOUTH	BLOCK 7	BLOCK 9	BLOCK 10	BLOCK 11	TOTAL SITE
STUDIO		24	10	6	4	8	4	56
1 BED		52	55	28	18	16	18	187
2 BED		26	8	54	12	14	12	126
3 BED		6	3	0	2	2	2	15
LIVE-WORK			8		6	7		21
ROWHOME UNIT - 2 BED					27	19	18	64
TOTAL UNITS		108	84	88	69	86	54	489
COMMERCIAL - LIVE-WORK WORKSPACE (NSF)			3,200		2,480	2,900		8,580
COMMERCIAL - RESTAURANT (NSF)	5,204		3,078	7,934	2,807	2,632	6,068	25,273
COMMERCIAL - NON RESTAURANT (NSF)			1,541	8,188	4,211	3,947	8,503	26,390
CIVIC SPACE			7,564					7,564

3) Live Work Area Addition to Plan:

Beyond the consideration of transitioning commercial area to Live Work area, Town staff raised concerns over the pure addition of Live Work area to the plan. As noted above, the initial FDP contemplated and allowed for the conversion of commercial area into Live Work units, outlining 23,383 of Live Work area would be added in place. See a note from the Morgan Ranch PD Amendment #5 dated November 2019 below.

See live/work exhibit for proposed commercial locations to potentially be converted to live/work units on exhibit sheets, which would replace a maximum of 21,239 square feet of floor area that would otherwise be 100% in-line commercial with up to 21 live/work units which, including mezzanine "living" levels would total 23,383 square feet. Within the proposed live/work units there would total approximately 10,319 square feet of floor area still proposed for commercial use (in the "work" area of each live/work unit,) meaning a build-out of these spaces as live/work could ultimately result in a reduction of 10,920 square feet of commercial use across the total project compared to the full commercial lease-up scenario. Though proposed plans included in exhibit sheets, these units to be built at a later date and subject to plan adjustments due to market demands and client preferences. Per residential typology L, live/work units may be a studio, 1-bedroom or 2-bedroom layout, up to 2,500 SF with minimum "work" space of 400 SF.

As discussed above, FDP Amendment #1 allowed for 9,159 sf of Live Work area in Building 6-01. The 13 Live Works proposed for Buildings 9 and 10 in this amendment would allow for another 20,878 sf of Live Work area, bringing the total Live Work area in the plan up to approximately 30,037 sf. As such, the proposed change would add 6,654 sf of Live Work Area to the plan not originally contemplated by Morgan Ranch. This net change of 6,654 sf represents a change of 28% from the Morgan Ranch figure or 1.1% of the total gross plan area squarefootage (6,654sf / 614,758sf = 1.1%)

Added SF from L/W Conversion (Original FDP)	23,383
Added SF from L/W Conversion (FDP 9)	9,159
Added SF from L/W Conversion (Proposed Amend. 10)	20,878
Total Proposed Added SF from L/W Conversion	30,037
Net Change in SF from Carmel Proposed Amendment	6,654
<i>Gross Project SF</i>	<i>614,758</i>
<i>Proposed Change as % of Gross Project SF</i>	<i>1.1%</i>

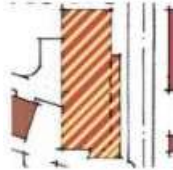
The added area proposed is exclusively a result of new area added to the plan within the mezzanine levels of the 13 Live Work units in Buildings 9 and 10. The initial Morgan Ranch FDP did not assume mezzanine units in these two buildings, and the additive area of these mezzanines accounts for this 6,654sf discrepancy. This additional area comes at no cost to the project or the Town, with no additional commercial area given up for these mezzanine areas within the Live Works. Instead, this area is purely additive to the plan area and will serve to make these units more desirable to the mix of tenants and business owners targets to rent these Live Work units (see FDP for conceptual Live Work Plans in building 9 and 10)

4) Design Context

Context - Live Work Layouts and PD Typology L:

Live Work layouts proposed conform to the design parameters outlined in the PD and FDP. The approved PD contains details for typology L for Live Works units and specifies these units may be studios to 2 bedrooms. Eight of the 21 Live Work units allowed by the current FDP plans have been approved and are under construction in Block 6-01. Seven of these are 2bedroom Mezzanines, one is a Type-A unit and is a 1bedroom flat configuration.

The current FDP amendment seeks to convert inline retail at building 9 and 10 to develop the remaining 13 Live-Work units allowed by the FDP. The revised Building 9 is proposed to include 6 Live Work units. The revised Building 10 is proposed to include 7 Live Work units. All 13 proposed Live Work units would be 2bedroom Mezzanine units, similar in layout and typology to the currently approved plans in Building 6-01. All the live-work units comply with the PD requirements for typology L (see definition to the right).



L. FLEX APARTMENT OVER FLEX COMMERCIAL OR LIVE/WORK RESIDENTIAL

Unit Sizes: Range: 400 s.f. - 2,500 s.f.

Parking: Structured or Surface Parking From Midblock

Description: This product type will provide a high density, urban living residential model and active ground floor with a variety of unit types from studios to three bedrooms above flexible commercial space or live/work residential. Parking for all residential uses will be either surface or structured parking from midblock.

Residential units above the ground floor: Residential above ground floor limited to four. Units above the ground floor will have either a recessed, projecting or juliet balcony, be accessed off of a shared corridor on the upper floors and a residential lobby on the ground floor by stairs or elevator.

Live/work residential units at the ground floor: Live/work residential units will be accessed from the ground floor and be either a single story unit or include an internal private mezzanine level at rear of unit with the open portion of "work" space to be full height. Units may range from studios to 2 bedrooms. The unit's primary street frontage must be the "work" function with doors for the public to access the "work" function. "Work" function space of the live/work residential unit must be minimum 400 s.f. and may include uses such as (but not limited to) retail boutiques, entrepreneurial businesses or small professional offices. Building elevations at live/work units to be designed as typical commercial storefronts to blend into the downtown street facade.

Context - Mezzanine Design:

The design for the Live Work product type stems from an effort to make this product as attractive as possible to prospective commercial and Live Work tenants in the market. The design takes into account feedback from retail and multifamily experts, as well as retail leasing brokers active in the Boulder County market. As such, Live Work units are designed with a primary work-space at the front of the units, which feature double height clear ceilings and unobstructed area for flexible furnishing to support a variety of commercial uses. The unit type contains an ample kitchen to support both live and work functions within the unit, a ground floor bathroom accessible from the main space, and a ground floor bedroom or flex office space with significant storage to support residential or commercial needs. The Live Work designs also feature a mezzanine level with a secondary bedroom, bathroom, and storage closet. Carmel believes that this private mezzanine space will be particularly attractive to prospective Live Work tenants as it will allow users to separate their private residential living space from the publicly accessible ground floor areas. This secondary bedroom suite upstairs also allows increased flexibility in the use of the ground floor bedroom, which can also function as a back office and storage room for a more commercial focused tenant and will decrease the chance of spillover between the residential and commercial uses within the unit.

The two-bedroom, two-story Live Work designs will increase the attractiveness to potential Live Work tenants and help ensure the leasing success of the Main Street fronting spaces. In General, Live Work units offer a more affordable option for small business owners, allowing them to combine their living and business rental obligations and limit their out-of-pocket start-up expenses. This will get commercial space open sooner without the added burden of a complex and expensive TI buildout. The additional space gained with the mezzanine design, along with the features it presents as mentioned above, will drive leasing for these unit types as they will more adequately cater to the demands of the tenant base. A single-story alternative, while potentially still viable, will limit the pool of potential Live Work renters who would prefer the added space and flexibility of the two story, two-bedroom plan. Overall, Carmel believes the 2bedroom, two level product type, as designed, lends itself well to the Live Work typology, and will help ensure that the work area within these units remains commercially focused and welcoming to customers and patrons.



Context - Live Work Ceiling Heights:

In review of the proposed changes in FDP 9 Amendment #2, Town Staff raised concerns about ceiling heights, citing a prior project reviewed by the Town that featured lower than average ceiling heights. Though ceiling clear heights are not codified or detailed in the Superior Town Center PD or FDP 9, and proposed plans meet Town zoning and building code, concerns over ceiling heights were one of the main issues highlighted by Town staff as a reason this amendment could not be processed administratively. As such, the text below outlines the conditions of the Live Work ceiling heights as best as possible to give as much clarity and context to the proposed change.

Outside of the double height open space within the Live Work units, ceiling heights have been designed to meet or exceed code for both the lower floor and the mezzanine. Conditions vary throughout the project based on grade changes, but the tightest conditions exist at the western most L2B.3 Live Work unit in Building 9, and the westernmost L2B.1 Live Work unit in Building 10. From these units, the grade drops away to increase ceiling ground floor heights as you move plan east towards building 11. The lowest planned ceiling height on a ground floor of a Live Work unit in building 9 and 10 is 7'8" minimum. Mezzanine Clear heights at the mezzanines of all Live Work units is 7'10" minimum. Some select areas of individual mezzanines may be subject to soffiting based on plumbing drops from above, this will be clarified on the permitted drawings. See architectural sheets AS1.11, AS1.11B, AS1.15, AS1.15B, AS1.23 and AS1.23B in the FDP Amendment #2 package for plans and sections through buildings 9 and 10 at the Live Work units. Note all dimensions are based on draft layouts and are subject to construction and finish tolerances. Final dimensions will be verified at time of building permit submittal but will reasonably conform to the parameters outlined above.

It is critical to consider that the lower ceiling heights discussed above are approximate minimums, and are limited to only bedrooms, closets, and bathrooms. The Live Work units designed at Superior Town Center will provide double height volumes of space for more than 65% of the squarefootage and provide more than 15ft clear ceiling heights for the first 40ft of the unit along the exterior glazing facing Main Street. Because of this these spaces will be impressive and attractive to prospective tenants.

Context - Market Standard Ceiling Heights

Overall, the nominally 8ft ceiling heights shown in most bedrooms, closets and bathrooms are consistent with market standards for multifamily rental product. As an example, Broe Real Estate Group's recently completed Country Club Towers, a luxury Denver high rise, features 8'2" ceilings throughout the units. Typical ceiling heights in other multifamily product range from 8ft to 9ft but consistently feature 7'8" ceilings in bathrooms and entries in order to accommodate mechanical units in ceilings. Standard unit ceilings across the Superior Town Center project are approximately 9ft with bathrooms and other areas dropped to 7'8" or below where required by MEPs or structure.

Based on Carmel's extensive experience with multifamily and commercial development, the above-described ceiling heights are in line with market expectations for Live Work/Loft product types, which often feature loft ceiling heights as low as 6'8". It should be considered that other Loft products in Boulder and Denver county feature loft ceilings under the 6'8" code minimums that function as sleeping or storage lofts. Even with these lower ceilings these Loft product types remain highly desirable to tenants who value the added space such lofts provide. Generally, the lower ceiling heights in some areas of these units are supplemented by the significant clear areas in other parts of the unit. Beyond the sleeping, storage, and bathroom areas at the rear of the unit, the Live Work units at Superior Town Center will still feature soaring ceiling heights in all the common and work-spaces with full height storefront glazing to allow excellent light and airiness in the majority of the unit. As such, we do not anticipate any pushback or concern for the heights in the private back of house spaces currently designed.

A letter from the retail broker supporting the conclusions above is attached to this narrative for reference.



SHEET BY SHEET SUMMARY OF PROPOSED AMENDMENTS:

- CS1.1 revision to total Commercial Area in Live Work units from 8,400 to 8,580 based on updated Live Work layouts
- AS1.11B revised alternate ground floor layout of building 10 reflecting Live Work units and Mezzanines
- AS1.15B revised alternate ground floor layout of building 9 reflecting Live Work units and Mezzanines
- AS1.23 additional plans and layouts of Building 9 and 10 Live Work Units presented alongside those of Building 6-01 previously approved in FDP 9 Amendment #1
- AS1.23B Ground Floor plans and Sections reflecting clear heights and areas in Live Work Units in Buildings 9 and 10

OTHER ITEMS INCLUDED IN AMENDMENT

1. Retail Brokers Opinion of 2bedroom Mezzanine Live Works and Ceiling Heights