AGENDA ITEM: Final Development Plan 9 for Blocks 4, 6, 7, 9, 10 & 11, and Final Development Plan 10 for Parcel K Downtown Plaza & Promenade Downtown (Case No. FDP-2019-04)

MEETING DATE: October 29, 2019

PRESENTED BY: Steven Williams, Town Planning and Building Manager

PRESENTED FOR: Discussion and Recommendation

Item: FDP Plans 9/10 – Case No. FDP-2019-04

Applicant: Ryan Morgan, Morgan Holdings, LLC, and Bill Jencks, RC Superior

Existing Zoning: Planned Development – Superior Town Center/Downtown Superior

Location: Blocks 4, 6, 7, 9, 10 & 11, and Parcel K, which includes the Downtown Plaza and Pedestrian Promenade (2 ½ blocks of Main Street between Creek View Way and Old Rail Way, west of Superior Drive)

Request: Two Final Development Plan (FDP) requests to:
1) Develop Blocks 4, 6, 7, 9, 10 & 11 with a mix of commercial, civic, and residential buildings totaling 73,243 SF of commercial floor area, 7,564 SF of civic space, 382 apartment units, and 64 Rowhomes.
2) Develop 1.46-acre Parcel K into Pedestrian Promenade and Downtown Plaza

BACKGROUND:
The applicant, Morgan Land Holdings and Ranch Capital (Morgan-Ranch), is proposing a to develop Blocks 4, 6, 7, and 9-11 of Downtown Superior with 73,243 square feet (SF) of commercial development, 446 residential dwelling units and 7,564 SF of Civic Space. The staff analysis below is not exhaustive. Given the scope of the proposal, staff has focused on providing a comprehensive overview of the broader proposal, clarifying how the proposed development has
been coordinated, and highlighting where this request both complies with and varies from the development requirements outlined in the Planned Development (PD) and associated Design Guidelines (DGs). Staff has highlighted both the variance requests that Morgan-Ranch is requesting as well as areas where specific direction from Planning Commission (PC) is requested. Summary lists of both variances and requests for direction are provided at the end of this memo.

The PD Zone District Plan for Downtown Superior (formerly the Superior Town Center) dates back to October 2012. This approval established the general land use parameters for developing a 156-acre, mixed-use and pedestrian-oriented downtown environment with up to 1,400 dwelling units, 444,600 square feet of commercial/retail floor area, 373,000 square feet of office space, and 500 hotel rooms. The Town has processed subsequent PD amendments (PD Amendment #1 in August of 2013 and PD Amendment #2 in May 2014) to accommodate certain changes in design. A third PD Amendment (PDA #3) for the Town Center was approved in April 2016, and PD Amendment #4 was adopted in January 2018 to allow for the Tesla site.

To date (and inclusive of the 9.23.19 Toll Brothers FDP application approval), 565 residential units have been approved for development within Downtown Superior on Blocks 13-25, and the northeast half of Block 26. All of these units are located within Planning Area 3. The only developable area that remains in Planning Area 3 involves the southwestern portion of Block 26 and all of Block 27. The Town has an application under review which proposes 25 single-family homes for these blocks. Consequently, a total of 590 residential units are projected to be built in Planning Area 3. Vertical development within Planning Area 2 has been limited to Block 12, which lies east of Superior Drive. The 62,000 SF Superior Medical Center has been built on Lot 1A of Block 12 and a 4-level parking garage sits on Lot 1B. The 165,000 SF building that houses the Superior Sport Stable, Impact Sports, Brunelleschi’s restaurant, Stix coffee shop, Floyd’s Barbershop, and a number of offices spanning Lots 2A-C of Block 12. Lot 3—which lies south of Sport Stable—is currently used for surface parking. The other FDP/development approvals within Planning Area 2 are limited to ROW improvements for all of Main Street (4 blocks), two blocks of Superior Drive, two blocks of Old Rail Way, and the block of Promenade Drive that lies between Main Street and Old Rail Way.

As illustrated by the Vicinity Map on page 3, the ~15 acres associated with this application lie within Planning Area 2 of Downtown Superior. The associated plat proposal encompasses a significantly larger area (nearly 50 acres) than the area reflected in red, which is proposed for development. The plat includes Parks 1 and 2, which lie within Planning Area 1, as well as Blocks 2, 5, and 8, which are also being platted, but not developed with this application. A separate FDP (involving 9,688 acres) was also submitted for the required horizontal improvements, including the construction of surrounding streets and a detention area in Tract C1. Consequently, of the 50 acres being replatted, less than 25 acres are proposed for development, with the area included in this FDP accounting for roughly 15 acres.

The applicant has provided one FDP application for the ROW improvements (FDP 1, Phase 9) related to Creek View Way, Marshall Road, Old Rail Way and Gateway Drive; an additional FDP for the vertical development within Blocks 4, 6, 7, 9, 10 & 11 (FDP 9); and an FDP for Parcel K (FDP 10), which includes the Downtown Plaza and pedestrian promenade. As detailed in the applicant’s narrative, the separate FDP requests are driven in part by ownership. Morgan-Ranch
will own and maintain the all of the commercial and mixed-use buildings proposed, as well as the for-rent apartments planned for Blocks 6 and 7. Remington will acquire and develop the for-sale rowhome units on the southern halves of Blocks 9-11, and the STC Metro District will own and maintain the primary public spaces within blocks, including Downtown’s Plaza and Promenade, the three outlots proposed within Blocks 9-11, and the seven additional parcels (A-G) located adjacent to ROWs. The Town will acquire the surrounding public rights-of-way.

Vicinity Map

The proposed development area (Blocks 4, 6, 7, 9-11, & Parcel K) lies south of Parks 1 & 2, east of Superior Drive (and Sport Stable), north of Old Rail Way. This proposal involves six of the nine blocks that will make up the mixed-use core of Downtown Superior. For Blocks 4, 6 and 7, which lie north of Main Street, the western boundary is Marshall Road. For Blocks 9-11, which lie south of Main Street, the western boundary of this FDP will be Gateway Drive. Staff has also included an enlarged illustration of the PD zoning map below to better illustrate the zoning designations that were established for the blocks involved in this proposal.

Detailed Zoning Map
As illustrated, five zoning designations impact the development area. Block 4 is zoned commercial and illustrated in red. Blocks 6, 7, and 9-11 are primarily zoned as Flex Space which includes Commercial, Residential, Live/Work, Hotel, and Civic/Education use allowances (illustrated by blue diagonal striping). Each of these blocks also contain segments of Ground Floor Commercial with Flex Space Above (red diagonal striping), and/or Flex Space with live/work Residential Restrictions (fainter blue diagonal striping). As illustrated by the diagonal red hatching, Ground Floor Commercial is required along the southern edge of Block 7, the northern edge of Block 11 and along the eastern halves of Blocks 6 and 10 where these blocks are adjacent to Main Street. This ground-floor commercial designation also applies to the eastern edge of Block 6, which abuts the Town Plaza. The western halves of Blocks 6 and 10 that are adjacent to Main Street as well as the northern portion of Block 9 (shown in the fainter blue striping) are zoned Flex with a live/work Residential Restriction.

The five zoning designations outlined above suggest that distinct allowances have been applied to this area. However, aside from Block 4 and Parcel K, the entire area within the Morgan-Ranch FDP is zoned Flex, which allows for Commercial, Residential, Live/Work, Hotel, and Civic/Education land uses. The two additional zoning designations are best understood as zoning overlays that apply to specific portions of Blocks 6, 7, 8, 9, 10 & 11, where adjacency to either Main Street or the Downtown Plaza/Promenade require stricter zoning allowances. These additional zoning restrictions are respectively intended ensure ground-floor commercial uses and limit the amount of live/work residential uses that occur on ground floor levels. Zoning within other areas of Superior is two-dimensional, with a parcel designated for one type of development or another (e.g., commercial or residential). A layered approach to zoning use allowances was implemented in the PD to accommodate a vertical (3-dimensional) mix of commercial and residential uses, and to maintain control over what occurs on the ground floor, where commercial uses are prioritized.

The red diagonal striping illustrates locations where the PD prioritizes ground-floor commercial activity. These designations occur along the eastern third of Main Street and along the western and northern edges of the Plaza. As one moves further west on Main Street, ground floor commercial restrictions are relaxed to allow for live/work residential uses as illustrated by the fainter blue diagonal striping. The live/work residential use allowance, however, is limited to 25% of these spaces, thereby requiring the remaining 75% of this area to be commercial, hotel, or civic/education uses. As detailed below, the applicant has interpreted this restriction differently, and views live/work uses independently from residential uses.

**Morgan-Ranch Live/Work Variance Request**

Morgan-Ranch is also requesting the opportunity to reduce the commercial/retail floor area proposed from 73,243 SF to 33,708 and build 34 live/work units along Main Street should the proposed commercial/retail spaces not be leased within 18 months. These requests for less restrictive residential development allowances will require variances to the PD use allowances. They also merit careful consideration as the amount of commercial floor area would be reduced by 54%. More specifically, the allowance for restaurant floor area would be reduced from 33,905 SF to 18,091 SF (a 47% reduction), and the floor area of traditional retail would decline from 39,338 SF to 15,617 SF (a 60% reduction).
As illustrated in the maps below, these requests would extend the residential use allowance from applying to two full blocks of Main Street (all of Block 9 and the western halves of Blocks 6 & 10) to all of the Main Street blocks included in this submittal. The tables on FDP Plan Sheet 2 indicate that the proposed reduction of Main Street commercial floor area would allow for live/work uses over 70% of this enlarged area. However, there are inconsistencies in these tables that indicate the loss of commercial floor area is not equal to the proposed live/work floor area.

Morgan-Ranch is requesting to extend live/work uses to the western half of Block 10 and all of Block 11 – areas that are designed exclusively ground-floor commercial uses. The potential 54% reduction in commercial-retail floor area also needs to be understood in light of the additional proposed loss of retail floor area along the southeast corner of Block 6, which abuts both Main Street and the Downtown Plaza. This area is also designated for ground-floor commercial uses in the PD, but proposed to be used for a clubhouse/leasing center for the Morgan-Ranch apartments. The Town views the clubhouse/leasing center as a residential use, consistent with previous approvals including Bell Flatirons and Summit neighborhoods.

Although staff understands the desire to avoid vacancies, the applicant has not provided sufficient justification to support the commercial floor area reductions, adequately clarified why such a disparate approach is necessary, or explained why 18 months serves as an adequate barometer to allow this conversion. Alternative approaches, such as phased construction or a more limited development, could also be pursued to ensure commercial efficacy. Once areas transition from commercial to a residential uses they are not likely to convert back. Given that the developer has ultimate control over such factors as lease rates, agreeing to such a substantial reduction to commercial floor area from the outset seems premature. Morgan-Ranch has clarified that this request is made now in order to ensure the project can be financed, noting that banks and equity partners need to know that the proposed spaces can be filled with another use if retail and restaurants do not pan out.

**Staff is requesting direction from PC on whether or not the Morgan-Ranch request to convert 54% of the proposed commercial retail floor area included with this proposal to a live/work residential use if spaces are not leased within 18 months is supportable.**
The requested live/work allowance complicates this proposal, and makes it difficult to prepare a staff report intended to thoroughly address contingency items. Morgan-Ranch has clarified that it is their intent and preference to develop these blocks without the live/work option. And the majority of their narrative and FDP details are prepared accordingly. The staff analysis below largely follows suit. Where block-level details of floor areas are summarized, staff has also included details on how this live/work request would impact the development blocks (6, 9, 10 & 11) involved in this request.

The massing of each building is not proposed to change regardless of whether storefronts are filled with retail space or live/work units. Retail is considered by the Town to be a commercial use, while live/work is considered to be residential. Retail is also critical to the active environment that is envisions for Downtown Superior. In addition to requesting a broader allowance of where live/work uses can occur, Morgan-Ranch is also requesting that the definition be expanded beyond what is contemplated by the PD, which only addresses Live/Work Townhomes, Typology A. Within this definition, ground floor uses are to be reserved for commercial. Flex Apartments over Retail are also permissible as Typology K, but again ground-floors are reserved for commercial uses. Morgan-Ranch does not clarify which typology their buildings would fit within if a live/work use was granted, nor did they propose any parameters regarding the type of uses that would be permissible regarding the ‘work’ areas or how work areas would be controlled to ensure the entire area was not utilized as commercial. The Floor Area Exhibits that Morgan-Ranch provided, however, do clarify that the residential areas are proposed on ground-levels for all proposed conversions.

The scope of variation between a proposal that requires 73K SF of traditional retail and restaurant uses relative to one that allows for 54% of this commercial area to be converted to a live/work is not addressed in this memo. Staff referred this proposal to Better City, the Town’s economic development consultant, who provided a memo on the request to address both the live/work request as well as the 18-month timeline proposed for the conversion. That memo is attached, but a summary of Better City’s comments on each topic is provided below.

**Live/Work Request**

- The timing of new development is often determined as retail space is pre-leased prior to construction with sufficient cash flow to service debt payments and provide market rate returns to investors. (The Morgan-Ranch request suggests a different approach has been adopted here).
- Developers that are confident in a market’s demand will construct speculative buildings with the intent of leasing the project during construction or shortly thereafter. A speculative development is inherently more risky as tenants are not secured prior to construction and investment returns are uncertain. (This appears to be Morgan-Ranch’s approach).
- The requested clause to convert commercial to live/work within 18 months indicates the applicant’s desire to mitigate their risk on a speculative development project.
- Motivation for this this request could include:
  - Providing greater assurances to financing institutions underwriting the project.
  - Securing favorable financing terms that are available under current market conditions (particularly in contrast to what may be encountered in future phases.
should a recession occur during a multi-phased project, in which financing is also
secured in phases).
• If the Town’s objective is to encourage as much development as possible in the current real
estate cycle, some leniency on live/work uses may be merited.
• Conversely, requiring a multi-phased approach to development would help mitigate the
risk of vacancy but may also increase the leasing and financing risks of future phases if
market conditions were to change.

18-month Conversion Request
• Under Morgan-Ranch’s single-phase approach, the amount of commercial space is not
likely to be fully absorbed in 18-months (making conversion to live/work highly likely, if
approved).
• A multi-phase project with each block being developed in phases as driven by market
demand would likely extend construction by multiple years (however, the economic market
could still impact build-out in a single-phase approach if a downturn occurs).
• A multi-phase project allows for a project to mature and consumer behavior to change over
time.

POTENTIAL COMPROMISE
If the Town wishes to afford some leniency for live/work units, absorption and conversion clauses
could be considered through the lens of a multi-phased approach, with each block being subject to
an 18-month absorption tranche, occurring in series rather than in parallel. For example, the first
commercial block would be permitted an 18-month absorption timeframe, the second block a 36-
month absorption period, the third block, a 54-month absorption, and so forth.
• The most important commercial spaces (such as Block 11) should have the longest
absorption period.
• Clusters of live/work should be avoided so as not to make a concentration of low traffic
areas that would discourage pedestrian activity along the street.
• Live/work conversion should not be allowed at the corners and/or across from the public
plaza as those are the most visible and desirable as commercial space.
• Live/work conversion should only be allowed in the interior of blocks based on a
concentration metric such as limiting the number of spaces within a certain stretch of Main
Street or only allowing a limited number of live/work units in a row.

FDP PROPOSAL SUMMARY:
The following analysis is generally separated into the following sections:
1) OVERALL SITE DESIGN AND PD USE ALLOWANCES (which provides a
broad overview of the entire development proposal)
2) BLOCK LEVEL SITE DESIGN, ARCHITECTURE AND PD/DG
CONFORMANCE (which provides more specific details of development
components)
3) PARKING AND TRAFFIC PLANS
4) CONSTRUCTION PHASING PLAN
Staff’s analysis is also followed by a summary of the specific PD and DG variance requests and a list of additional items that merit PC consideration/direction. Additional staff summaries on the traffic, parking, and construction phasing are also provided at the end of this memo.

Beyond land uses, the governing PD also establishes building height maximums, setback requirements, permissible residential building typologies, and parking requirements. Where compliance with specific zoning requirements could be summarized in development tables or illustrations, such tools have been included in this memo. More detailed written summaries are relied upon to explain variance requests and required coordination between the separate application components involved in this proposal.

OVERALL SITE DESIGN AND PD USE ALLOWANCES
The Vicinity Map and Detailed Zoning Map on page 3 of this memo are taken from the Downtown Superior PD. These illustrations reflect how this portion of Planning Area 2 was envisioned to be configured. As detailed in staff’s memo regarding the Morgan-Ranch plat proposal, the proposed blocks largely follow the alignments that were envisioned by the PD. The street alignments of Creek View Way, Marshall Road, Gateway Drive, and Old Rail Way are also generally consistent with the Downtown Superior PD. Some adjustments to street sections, and block and parcel sizes are proposed and have been highlighted for PC consideration through either staff’s memo on the proposed plat or in the memo on the Morgan-Ranch ROW FDP.

The Overall Site Plan (derived from FDP Sheet 4) has been inserted above for reference. Staff has overlaid the general uses proposed for context. The lots and blocks that are proposed to develop with exclusively commercial uses are highlighted in red; the areas that are proposed for exclusively residential uses are highlighted in yellow, where a mix of commercial and residential uses are proposed a purple overlay has been applied, and Parcel K is identified in green. As addressed earlier, the Morgan-Ranch development proposal is more nuanced than this illustration suggests. The intent here is simply to provide a broad understanding of the proposed development context before delving into the specifics.
**Block 4**
Moving north to south, Block 4 is proposed for commercial development. This parcel has been envisioned for a commercial use overlooking Coal Creek and Park 2, which lie to the immediate north. The development tables on FDP Plan Sheet 2 indicate that 5,204 SF of restaurant space is proposed for this block along with 44 surface parking spaces.

The parking shown on this site plan for Block 4 is listed as shared/public in the parking table included on FDP Plan Sheet 2. For these spaces to be available to the general public, associated access easements need to be included on the plat. Staff is also requiring that FDP sheets be updated to define shared parking as parking that is available to the general public. The Morgan-Ranch project narrative does not clarify whether this area is envisioned for public parking or address where overflow parking for this use will be accommodated during peak periods where up to 78 spaces could be required for a ~ 5,000 SF restaurant. If the Town wishes to secure public parking or a drop-off area within this lot to serve the adjacent park, a public access easement or comparable agreement should be secured as part of this approval. Any easement required will need to be established through the associated plat.

*Staff is seeking direction from PC regarding whether parking on Lot 4 should be public and accessible for park users or whether a drop-off area should be incorporated into the design of Block 4.*

Block 4 would not be impacted by the Morgan-Ranch live/work request.

**Block 6 (North) & Block 7, Lot 1**
The northern halves of Blocks 6 & 7 are reflected as residential. Morgan-Ranch is collectively proposing ten apartment buildings over the areas of these blocks highlighted in yellow, with six apartment buildings sited on the northern half of Block 6 and four proposed on Lot 1, Block 7. The site data tables on Sheet 2 of the FDP clarify that 108 apartment units are proposed within the six buildings proposed for the northern portion of Block 6 and 88 units are proposed within the four apartment buildings proposed on Block 7. Parking tables clarify that 114 residential parking spaces (96 on-site/18 on-street) are proposed for the apartments within Block 6 North, and 88 on-site residential parking spaces are proposed for the apartments within Lot 1 of Block 7.
The site data tables on FDP Sheet 2 also clarify the bedroom mix proposed for the Morgan-Ranch apartments. Units are primarily studios, and one- and two-bedroom units, but some three-bedroom apartments are also proposed. As illustrated through their parking tables, Morgan-Ranch is generally proposing to provide one parking space for each residential unit proposed, regardless of bedroom count.

Parking tables also clarify that 55 parking spaces on Block 6 North are reserved and provided as tuck-under garages. An additional 41 parking spaces are provided through surface parking spaces that will be unreserved, but only available for apartment tenants. The 18 on-street parking spaces listed within the column for Block 6 North are public spaces and will be available to the general public. Morgan-Ranch has not addressed whether time limits or additional measures are necessary for on-street parking to ensure they are not utilized by Downtown Superior residents. Within Lot 1 of Block 7, 52 garage parking spaces and 36 unreserved surface parking spaces are proposed for 88 apartment units. An additional 12 angled parking spaces are proposed along Creek View Way, directly to the north. The Morgan-Ranch parking table provides the parking for all of Block 7 in aggregate. As all on-street parking will be public and the public aspect of this parking proposal is considered in aggregate, the location of public parking spaces is not viewed as critically as the amount of parking provided, with the rationale being that all public parking is afforded within a 2-3 block area. Important details, however, on how parking will be controlled are lacking. Staff’s analysis of the parking proposal is provided on pages 41-44 of this staff report.

Morgan-Ranch is also proposing to include a small dog park south of the apartment buildings planned for Lot 1, Block 7. The location along Superior Drive is highlighted in red on map to the right. This area is proposed to be enclosed by a 5’ tall steel fence. A vegetative buffer is also proposed for screening and shade. Within the park two primary surface treatments are proposed – synthetic turf and crushed stone paving.

Details on the amenities for this park can be found on FDP Plan Sheet 107. The dog park is proposed to include several play elements, including an agility walk, log tunnel, teeter totter, play rock, and walk-thru dog house. Additional amenities include a shade structure, benches; bag dispensers, and a dog drinking fountain. The Project Narrative clarifies that this park amenity will
be privately owned and maintained by Morgan-Ranch and used as a private amenity for apartment tenants. No clarification was provided on how frequently this site is proposed to be serviced or the whether the artificial turf would be irrigated (in order to be cleaned). Staff is also unclear regarding the suitability of turf for a dog park and has requested some additional information on other areas where this surface treatment has been employed.

*Neither Block 6 (North) nor Block 7, Lot 1 would be impacted by the Morgan-Ranch live/work variance request.*

**Block 6 (South)**
A five-story, 226,233 SF mixed-use building is proposed for the south half of Block 6. The square footage breakdown for each of the five floors is outlined in the attached Floor Plan Exhibits included with this proposal. The site data tables on FDP Sheet 2, however, clarify the distribution of uses. In the preferred commercial development scenario, this building is proposed to include 76 apartment units, 3,446 SF of restaurant/retail space along Main Street and 5,168 SF of non-restaurant/retail space, in addition to 7,564 SF of Civic Space. Both the Civic Space and a portion of the SF that Morgan-Ranch is calculating as “non-restaurant retail” space is sited on the eastern façade of this building, fronting the Downtown Plaza. Morgan-Ranch has included the leasing area they are requesting for their apartments as part of the retail/non-restaurant floor area calculation and is requesting this use to be allowed at the corner of Main Street and the Downtown Plaza. Staff considers a clubhouse/leasing office associated with the proposed apartments to be a residential use, not commercial and is requiring this proposal to be updated accordingly. Because the PD designates the southeastern edge of Block 6 for strictly ground-floor commercial uses, both use requests (civic and residential) require a variance from the PD use allowances.

*Staff is also seeking direction from PC on the proposed Civic Space in general. The Floor Area Exhibits include additional detail on the interior layout proposed for the ~ 7,500 SF of civic floor area.*

In addition to the residential, commercial, and civic uses outlined above, Block 6 South is also designed to include a 5-story, 302-space parking garage. The garage is generally designed to be wrapped with one of the aforementioned uses. However, as vehicular access to the garage is
proposed off of Marshall Drive to the west, the first level of the parking garage’s west elevation will be visible from this ROW. The rooftop of the garage has been designed to include a private pool and roof deck associated with the apartment development. The commercial floor areas noted above are generally limited to ground floors along Main Street. As illustrated in the attached floor plan exhibit, residential uses within this building (labeled as Layout E) will extend from the ground floor to the fourth floor on the north side of this building, and to begin to wrap around the west side of the parking structure on the second floor. Residential apartments will line the south, east, and north sides of the garage on the third level, before extending to all four building elevations on the fourth floor. No apartments are proposed on the fifth floor of this building. This top floor level is limited to parking and a rooftop pool, deck, and pool clubhouse. (Although set back from the roof edge, the pool clubhouse is the element of this structure that exceeds the 65’ building height requirement and therefore requires a variance).

All residential units are designed to abut the exterior of this building. Residential uses do not exist over on the second level of the south (Main Street) elevation because the floor heights of the ground-floor retail are designed with taller floor plates than residential uses. Similarly, residential uses do not occur until the fourth floor of the eastern building elevation because the Civic and Club House/Leasing spaces below them are designed over two floors, which also have taller ceiling heights than the residential uses. Consequently, although only two floors of Civic and Club House/Leasing space are proposed on this eastern building façade, they encompass the same height/vertical space as three residential floors.

The internal parking garage is designed to include 302 parking spaces. The parking tables in FDP Plan Sheet 2 clarify that 116 of these spaces are designated as residential unreserved. This indicates that spaces will not automatically be assigned to a specific apartment, but rather made available to apartment tenants through a separate lease agreement. Morgan-Ranch is reserving 116 of the 302 garage spaces for their apartment users. The remaining 186 parking spaces within this structure will be available to the public. Only 76 apartment units are proposed within Block 6 South. Staff understands the 116 residential structured parking spaces to be available to any of Morgan-Ranch’s apartment tenants. No clarification has been provided on how residential parking will be limited to designated areas, whether time limits or hourly parking fees are proposed or anticipated for the public parking component, or whether or not a shared parking arrangement was explored for this garage, which could allow residential spaces that are often vacant during the daytime to be utilized by the public.

**Block 6 (South) - Live/Work Use Variable**

Block 6 South would be impacted by the Morgan-Ranch live/work use allowance. The two use summary tables on FDP Plan Sheet 2 indicate that all of the potential retail floor area (3,446 SF of restaurant space & 5,168 SF of traditional retail) could be eliminated if the live/work allowance is approved. Morgan-Ranch is proposing to substitute 8,614 SF of sales-tax generating commercial floor area with 11 residential live/work units.

Staff has inserted a table below to summarize the potential developmental impacts of the live/work use proposal on Block 6 South. The column on the left reflects floor area totals for the commercial development option. The column in the middle reflects the potential changes should the entire block develop as live/work, and the column on the right illustrates the SF variation in red.
Because the loss of commercial SF (8,614) does not equal the floor area gained for live/work (4,455 SF), staff has requested clarification. As alluded to above, the total retail SF reflected below of 5,168 SF also appears to inaccurately include the floor area that Morgan-Ranch is proposing be used for their leasing center and clubhouse. No additional detail was provided on whether the applicant considered retaining corner units for restaurants and retail space or why all commercial uses within Block 6 were considered expendable.

The supplemental Floor Area Exhibits provided by the applicant attempt to clarify where live/work allowances are requested. These illustrations, however, are muddled by the assumption that the 25% residential restriction does not apply to live/work uses. A lack of consistency within the FDP application also makes this request difficult to interpret. Should PC be open to this request, additional detail and clarification on the proposal from the applicant is recommended.

**Block 7, Lot 2**

Two retail buildings are proposed on Lot 2, Block 7. The larger of the two buildings is shown to encompass 9,968 SF on the Floor Area Exhibits provided by the applicant. This building is sited at an angle directly north of the Downtown Plaza. The smaller building is sited directly north of Lot 3, Block 7, adjacent to Superior Drive, and proposed at 3,814 SF. Each building is proposed at one-story in height and 24.5’ tall. The larger building is reflected as being able to accommodate as many as eight retail bays, and the smaller building illustrates the potential for three storefronts. The site data tables on FDP Sheet 2 provide all of the commercial floor area for Lots 2 & 3, Block 7 in aggregate and reflect a fairly even split between the amount of restaurant floor area and traditional retail space, with roughly 8,000 SF shown for each. Until buildings are leased, it is difficult to predict the mix of users or how individual restaurant and retail bays within a building will be demised.

As illustrated on page 14, the site plan for Block 7, Lot 2 also includes a surface parking lot on this property. The parking table on FDP Sheet 2 clarifies that 64 surface parking spaces are proposed in this location and reflects these spaces as shared or public. For these areas to be publicly accessible, the associated plat needs to dedicate a public access easement over this parking area. This access easement will also allow for this parking area to be served by trash and recycling services as well as deliveries. Staff views this area as providing a critical public parking amenity for the adjacent retail uses; consequently, a condition has been applied to the plat to include a public access easement over this lot.
Block 7, Lot 2 would not be impacted by the Morgan-Ranch live/work request.

**Block 7, Lot 3**

Lot 3 of Block 7 is sited at the northwest corner of Main Street and Superior Drive is proposed to anchor the eastern edge of the Downtown Plaza. Morgan-Ranch is proposing 2,645 SF of commercial retail floor area in this location, and have noted both breweries and coffee shops as potential users for this location. In addition to 2,645 SF of enclosed floor area, FDP plans and illustrations reflect outdoor patio spaces within Lot 3 as well. Although the floor area for this lot is proposed over two building floors, the maximum building height is reflected at 21.5’, which is three feet less than the 1-story commercial buildings proposed on Lot 2, Block 7.

As clarified in staff’s memo regarding the proposed plat, Lot 3, Block 7 is proposed to occur in an area previously designated as part of the Downtown Plaza. The PD affords this area a massing allowance, so development up to 25’ in height is permissible. The separate development lot,
however, was not contemplated by the PD. Because the plat will create the lot, this exception is addressed through the Morgan-Ranch plat proposal. However, as these two proposals are related, the direction provided on the plat could impact whether or not the proposed development can be considered. Staff addresses the architecture and PD compatibility of each building later in this memo. As detailed, this structure requires an exception for the materials proposed.

Block 7, Lot 3 would not be impacted by the Morgan-Ranch live/work variance request.

Parcel K – Downtown Plaza & Pedestrian Promenade
Downtown Superior is designed to bring many complimentary uses together and provide public gathering spaces for public congregation, recreation, interpretive cultural displays and outdoor commercial activities. The heart of this public realm within the core of Downtown Superior will be the Downtown Plaza and the adjacent Pedestrian Promenade, both of which are located within Parcel K. Several elements of the PD and DGs focus on design achieving a pedestrian scale, and the environment being walkable, connected, and designed to promote wellness.

The key elements of both the Plaza and Promenade are detailed below, but design elements are only one factor impacting whether or not a public space is successful. As noted throughout this memo, commercial uses are required by the PD on all sides of the Plaza. The Promenade is also envisioned as an active public realm. As detailed below, the elements planned for both the Plaza and the Promenade are largely consistent with the PD. The size of the Plaza, however, is proposed to be reduced from 1.72 to 1.46 acres and the width of the Promenade is proposed to be narrowed from 45’ to 28’. Morgan-Ranch is also proposing to site the Town’s Civic Space and the clubhouse/leasing area for their apartments within Block 6, immediately west of Parcel K; and the alternative live/work development option would introduce residential uses within the northern edge of Block 11, which lies immediately south of the Plaza and is currently designated for ground floor commercial uses.

Downtown Plaza
Section 1.6.B of the Design Guidelines clarifies the vision for the Town Square, which is now more commonly referred to as the Downtown Plaza. This area is envisioned as the heart of the development and intended to be flexible space and is designed to accommodate a variety of uses, including Town events. Although capable of handling events, this public space must also be designed to ensure daily activation to Downtown Superior. Some of the elements proposed for Plaza design are illustrated on page 16. The Plaza is designed to include the following amenities:

- A central green with synthetic turf lawn surrounded by seat walls, steps, and benches;
- A fabric-covered stage for small performances and events (illustrated below left);
- A water splash pad with ground spray jets surrounded by seating and shade trees (illustrated below right);
- A play area with swings, climbing rock features, and accessible safety surfacing (illustrated below right);
- Space for outdoor yard games and tennis tables;
- Space for art exhibits and cultural events; and
- Large shade trees and planting beds that provide year-round interest in form, color, texture and support a vibrant and active public environment.
The primary elements (benches, a central stage, and bosque of trees) included in the DG description have been incorporated into this design. A tree-lined arced pathway will extend from Main Street along the retail buildings proposed for Lot 2, Block 7 to the front door of the Civic Space proposed within Block 6. This sidewalk will provide Block 7, Lot 2 with commercial frontage comparable to Main Street. Additional pathways are also proposed further west, helping to define the border of the central green. The play elements are largely sited south and southeast of the primary greenspace, which has been designed to provide a large multi-purposed outdoor space. Morgan-Ranch is proposing synthetic turf in lieu of sod to ensure the space is functional year-round.

Paving elements within the Plaza include stone, brick, and banded pavers. The paving, site furnishings, and lighting fixtures of the walk match and complement the existing material used in the Main Street streetscape. The material variation within the Plaza is rich. Staff has requested that a color and material board of the materials be included with the FDP plan set to help clarify the variation, and is requiring that a physical material board for the Plaza also be prepared for the Town Board hearing.

**Pedestrian Promenade**
At the west end of the plaza, an inviting Pedestrian Promenade extends north to Creek View Way from Main Street. This pedestrian route will provide fire access to buildings and the plaza adjacent to the Promenade. Vehicular use by the general public will be restricted by removable bollards.
The majority of the Promenade is illustrated on the right. The southern segment is illustrated with the Plaza diagram above. The paving that is proposed between Block 6 and the Plaza is a brick band paver; paving then transitions to a colored concrete sand finish between Blocks 6 & 7 (as illustrated on the left). This section includes brick arc inlays. The Promenade is also illustrated to be lined with deciduous trees (providing shade in the summer and allowing for sun in the winter), colorful planting beds, vine-covered trellises for additional residential privacy, as well as planters, seating, and opportunities for public art. The north end of the Promenade terminates at Creek View Way.

Morgan-Ranch is proposing to narrow the width of the Promenade that separates Blocks 6 and 7 from 45’ to 28’. The 28’ that will remain public and part of the Promenade design is highlighted in red. The fire access plan suggests that as much as 28’ of fire access clearance is necessary within this area to provide proper emergency access and turning movements. Allowances for vehicle movements as well as outriggers and ladders typically require both ground and air clearance over easement areas, potentially precluding amenities such as street trees, planters, and benches. This project was referred to Rocky Mountain Fire, who related access width requirements, but has yet to clarify vertical clearance requirements or whether the landscape plan was also reviewed.

In addition to confirming fire access standards, staff is concerned with the implications these standards have on the design and whether or not amenities that are intended to be public are actually sited within publicly accessible areas. The benches and street trees shown within this area appear to primarily be placed on private blocks associated with either the Block 6 or Block 7 apartment developments. The applicant has been reluctant to grant public access easements over either block, so easements may not be a solution in this instance. Plating Parcel K at a width wide enough to incorporate fire access, as well as the required public amenities within this area is recommended. This would also ensure common maintenance responsibility for both the paved Promenade area as well as the associated site and landscape amenities.

*Staff is seeking direction from PC on whether or not the proposed width of the Pedestrian Promenade between Blocks 6 & 7 is adequate, or whether it should be widened to include the associated public amenities.*

**Block 9**
Moving to the south side of Main Street, Block 9 is proposed to be subdivided into 28 lots. Lot 1 is proposed to be sited along Main Street at 0.773 acres and span the entire Main Street frontage. Morgan-Ranch has designed Blocks 9, 10, and 11 in similar fashions, where large mixed-use buildings are located along Main Street and Rowhome units are proposed to the south, generally fronting adjacent streets. Layout H, the mixed-use building proposed on Lot 1 is reflected as 49,873 SF on the Floor Plan Exhibits included with this submittal. The elevation FDP plans sheets
associated with this building are illustrated on FDP Sheets 53-55. Roughly 16,600 SF of floor area is distributed over each of the three floors proposed, with the ground level envisioned as retail and restaurant uses and the second and third floors proposed with a mix of the same apartments proposed on Blocks 6 & 7. The site data tables on FDP Sheet 2 clarify that 36 apartments are proposed on the two floors above the ground floor commercial that fronts Main Street. These apartments include a mix of six studios, 16 one-bedrooms, 12 two-bedrooms, and 2 three-bedroom units.

An additional 27 three-bedroom Rowhomes are proposed on Lots 2-28 to the south. Like Blocks 6 & 7, the apartments are envisioned as rentals; the Rowhomes, however, which will be built by Remington Homes, are proposed as for-sale units. All of the Rowhomes are proposed to include private two-car garages that are accessed by private drives within Block 9. Most of Remington’s Rowhomes are oriented to face an adjacent ROW, with the exception of six lots and residential units that are sited internally. Staff’s memo on the associated Morgan-Ranch plat requests addresses this variance request.

In addition to the mixed-use building and Rowhomes proposed, Block 9 also includes 45 surface parking spaces located south of the mixed-use building. The parking tables included on FDP Plan Sheet 2 clarify that 36 of these spaces are projected as residential, unreserved, and 9 are listed as shared/public. An additional 40 public, surface on-street parking spaces are also projected immediately adjacent to Block 9. Diagonal parking spaces are provided along Main Street, and parallel on-street parking is afforded on Gateway Drive to the west, Old Rail Way to the south and Marshall Road to the east. The associated FDP for ROW improvements clarifies that on-street parking is proposed on both sides of each of these ROWs.

**Block 9 - Live/Work Use Variable**

Block 9 would be impacted by the Morgan-Ranch live/work use allowance. The two use summary tables on FDP Plan Sheet 2 indicate that 5,675 SF of restaurant space & 8,513 SF of traditional retail could be reduced significantly (down to 1,164 SF of restaurant floor area and 1,746 SF of retail space) if the live/work allowance is approved. These tables suggest that Morgan-Ranch is proposing to substitute 11,278 SF of sales-tax generating commercial floor area with 8 residential
live/work units. The tables also indicate that the floor area associated with the live/work units totals 3,240 SF. This leaves 8,038 SF of former commercial space unaccounted for.

Staff has inserted a table on page 19 to summarize the potential developmental impacts of the live/work use proposal on Block 9. The column on the left reflects floor area totals for the commercial development option. The column in the middle reflects the potential changes should the entire block develop as live/work, and the column on the right illustrates the SF variation. Like Block 6 South, the loss of commercial SF does not equal the floor area gained for live/work. The applicant has not clarified what accounts for this loss in floor area, nor have they provided much of an explanation on their live/work use.

<table>
<thead>
<tr>
<th>Block 9 Retail</th>
<th>Block 9 Live/Work</th>
<th>Block 9 Reductions</th>
</tr>
</thead>
<tbody>
<tr>
<td>14,188 SF Total Retail</td>
<td>2,910 SF Total Retail</td>
<td>11,278 SF Total Retail</td>
</tr>
<tr>
<td>5,675 SF Restaurant</td>
<td>1,164 SF Restaurant</td>
<td>4,511 SF Restaurant</td>
</tr>
<tr>
<td>8,513 SF Retail</td>
<td>1,746 SF Retail</td>
<td>6,767 SF Retail</td>
</tr>
<tr>
<td></td>
<td>3,240 SF Live/Work</td>
<td>3,240 SF Live/Work</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8 units</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8,038 SF not accounted for</td>
</tr>
</tbody>
</table>

The Town views live/work as a residential use, and Morgan-Ranch appears to want this use to be considered commercial. Land uses are typically defined by their primary or predominant function. Because a residence serves as a residence 24 hours a day, the residential use is considered to be primary. Live-work units are similar to residential uses that are afforded home occupation allowances. The home occupation does not make a residential use a commercial one.

As illustrated in the map on the left, the Blocks where Morgan-Ranch is proposing live/work use are governed by one of two zoning restrictions. The first, which applies to Block 9 and is illustrated in blue, is a flex space zoning with a residential use restriction. This restriction limits uses along Main Street within this zoning overlay to be developed with a maximum of 25% residential uses. Because the Town views live/work as a residential use, the 25% residential use restriction applies to live/work as well as residential.

The second of the two zoning overlays is illustrated in red and requires ground-floor commercial uses; no strictly residential or live/work uses are permissible within these areas. Additional analysis on the ground-floor commercial zoning is provided in staff’s summaries for Blocks, 6, 10, and 11. The supplemental live/work exhibits provided by Morgan-Ranch indicate that they are requesting a 75% live/work allowance for the ground floor units that front Main Street within Block 9. Morgan-Ranch has indicated that retail would be prioritized when spaces are leased, but
due to concerns with financing, they would like an alternative use allowance should retail not be leasable within 18 months.

No market data was included with this application to support this request or clarify why such a reduction in commercial floor area is necessary. Additionally, no detail has been provided on how live/work units would be controlled, whether there is a market for them, or what type of work uses typically complement this hybrid use proposal. Morgan-Ranch has also not provided any information to clarify when the proposed 18-month clock is intended to start, or whether or not this is a standard leasing window for a development of this size. Although the construction of the ground floor spaces appear to be flexible (usable for either commercial or live/work), once a space transitions to residential it is likely to remain that way.

**Block 10**

Sited just east of Block 9, Block 10 is proposed to be subdivided into 20 lots. Lot 1 is proposed to be sited along Main Street at 0.954 acres and span the entire Main Street frontage, which extends over 300’. Layout F, the mixed-use building along Main Street, is reflected as 53,174 SF on the Floor Plan Exhibits included with this submittal. Elevation details are illustrated on FDP Plan Sheets 45-47. The layout tables on these sheets also indicate that over 17,000 SF of floor area is distributed over each of the three floors proposed. Like Block 9, the ground level of this building is envisioned for retail and restaurant uses fronting Main Street, and the second and third floors are proposed to include a mix of apartment units. The site data tables on FDP Sheet 2 clarify that the 38 apartments proposed over the upper two floors include a mix of 8 studios, 14 one-bedrooms, 12 two-bedrooms, and & 4 three-bedroom units.

An additional 19 three-bedroom Rowhomes are proposed on Lots 2-20 to the south. All of Remington Rowhome units within Block 10 will include 2-car garages, be accessed off of internal private drives, and be oriented to face either Marshall Road to the west, Old Rail Way to the south or Promenade Drive to the east.

Like Block 9, Block 10 also includes a surface parking area between the mixed-building proposed along Main Street and the Rowhomes sited to the south. The site data tables on FDP Plan Sheet 2 clarify that 57 surface parking spaces are provided within Block 10. These tables also indicate that
38 of these spaces are projected as residential, unreserved, and 19 are listed as shared/public. An additional 40 public, surface on-street parking spaces are also projected immediately adjacent to Block 10. Diagonal parking spaces are provided along Main Street, and parallel on-street parking is afforded on Marshall Road to the west, Old Rail Way to the south, and Promenade Drive to the east. The associated FDP for ROW improvements clarifies that on-street parking is proposed on both sides of Marshall Road and Old Rail Way, and indicates that west side of Promenade Drive that is adjacent to Block 10 also includes parallel on-street parking. Although certain parking spaces are reflected as public, neither the FDP proposal nor the traffic study address how residential users would be restricted from using public spaces, or how residents will be compelled to separately lease the residential, unreserved parking spaces when public parking is also available.

**Block 10 - Live/Work Use Variable**

Block 10 would be impacted by the Morgan-Ranch live/work use allowance. The use summary tables on FDP Plan Sheet 2 indicate that 5,978 SF of restaurant space & 8,966 SF of traditional retail could be reduced to 988 SF of restaurant space and 1,483 SF of retail if the live/work allowance is approved. Collectively, Morgan-Ranch is requesting the ability to substitute as much as 12,743 SF of sales-tax generating commercial floor area with 9 residential live/work units. The tables also indicate that the floor area associated with the live/work units totals 3,645 SF. This leaves 9,098 SF of former commercial space unaccounted for.

Staff has inserted a table below to summarize the potential developmental impacts of the live/work use proposal on Block 9. The column on the left reflects floor area totals for the commercial development option. The column in the middle reflects the potential changes should the entire block develop as live/work, and the column on the left illustrates the SF variation. Like Block 6 South and Block 9, the loss of commercial SF does not equal the floor area gained for live/work.

<table>
<thead>
<tr>
<th>Block 10 Retail</th>
<th>Block 10 Live/Work</th>
<th>Block 10 Reductions</th>
</tr>
</thead>
<tbody>
<tr>
<td>14,944 SF Total Retail</td>
<td>2,471 SF Total Retail</td>
<td>12,743 SF Total Retail</td>
</tr>
<tr>
<td>5,978 SF Restaurant</td>
<td>988 SF Restaurant</td>
<td>4,990 SF Restaurant</td>
</tr>
<tr>
<td>8,966 SF Retail</td>
<td>1,483 SF Retail</td>
<td>7,483 SF Retail</td>
</tr>
<tr>
<td>3,645 SF Live/Work</td>
<td>3,645 SF Live/Work</td>
<td></td>
</tr>
<tr>
<td>9 units</td>
<td>9,098 SF not accounted for</td>
<td></td>
</tr>
</tbody>
</table>

As illustrated on the Detailed Zoning Map on page 3 of this memo, Block 10 differs from Block 9 in that both zoning overlays impact this Block. The 25% residential restriction applies to the western half of Block 10’s Main Street frontage and the ground-floor commercial restriction applies to the eastern half. A 25% residential use allowance over half of the 14,944 SF of floor area proposed for Block 10 would afford 1,868 SF of ground-floor spaces along the western half of Main Street within Block 10. The live-use exhibits provided by the applicant clarify that 8,400 SF of live/work space is requested.

**Block 11**

Located east of Block 10 and directly south of the Downtown Plaza, Block 11 is proposed to be subdivided into 19 lots. Lot 1 is proposed to be sited along Main Street at 0.895 acres and span the entire Main Street frontage. Layout G, the mixed-use building along Main Street, is reflected as 49,906 SF on the Floor Plan Exhibits included with this submittal. FDP Plan Sheets 49-51 illustrate
the building elevations for Layout G, Building 11. Roughly 16,600 SF of floor area is distributed over each of the three floors proposed. Like Blocks 9 & 10, the ground level of this building is envisioned for retail and restaurant uses fronting Main Street, and the second and third floors are proposed to include a mix of apartment units. The site data tables on FDP Sheet 2 clarify that the 36 apartments proposed over the upper two floors include a mix of 6 studios, 16 one-bedrooms, 12 two-bedrooms, and & 2 three-bedroom units.

An additional 18 three-bedroom Rowhomes are proposed on Lots 2-19 to the south. Like Blocks 9 & 10, all of Remington’s Rowhome units within Block 10 will include 2-car garages, and be accessed off of internal private drives that function as alleys. Like Block 10, all of the Rowhomes within Block 11 will and be oriented to face a public ROW. Units on Block 11 will front either Promenade Drive to the west, Old Rail Way to the south or Superior Drive to the east.

Like Blocks 9 & 10, Block 11 also includes a surface parking area between the mixed-building proposed along Main Street and the Rowhomes sited to the south. The site data tables on FDP Plan Sheet 2 clarify that 52 surface parking spaces are provided within Block 11. These tables also indicate that 36 of these spaces are projected as residential, unreserved, and 16 are listed as shared/public. An additional 33 public, surface on-street parking spaces are also projected immediately adjacent to Block 11. FDP plan sheet 2 also includes information on bicycle parking. For Blocks 9-11 the mixed-use building is designed to include 30 interior bicycle parking spaces in addition to 12 public bicycle rack spaces within adjacent ROWs.

**Block 11 - Live/Work Use Variable**

Like Blocks 9 & 10, Block 11 would be impacted by the Morgan-Ranch live/work use allowance. The two use summary tables on FDP Plan Sheet 2 indicate that 5,668 SF of restaurant space & 8,503 SF of traditional retail could be reduced to 2,800 SF of restaurant space and 4,203 SF of retail if the live/work allowance is approved. Collectively, Morgan-Ranch is requesting the ability to substitute as much as 7,170 SF of sales-tax generating commercial floor area with 6 residential live/work units. The tables also indicate that the floor area associated with the live/work units totals 2,430 SF. This leaves 4,740 SF of former commercial space unaccounted for.
Staff has inserted the above to summarize the potential developmental impacts of the live/work use proposal on Block 11. This table is formatted consistently with those described above for Blocks 9 & 10, and the SF totals are derived from FDP Plan Sheet 2.

<table>
<thead>
<tr>
<th>Block 11 Retail</th>
<th>Block 11 Live/Work</th>
<th>Block 10 Reductions</th>
</tr>
</thead>
<tbody>
<tr>
<td>14,171 SF Total Retail</td>
<td>7,001 SF Total Retail</td>
<td>7,170 SF Total Retail</td>
</tr>
<tr>
<td>5,668 SF Restaurant</td>
<td>2,800 SF Restaurant</td>
<td>2,868 SF Restaurant</td>
</tr>
<tr>
<td>8,503 SF Retail</td>
<td>4,201 SF Retail</td>
<td>4,302 SF Retail</td>
</tr>
<tr>
<td>2,430 SF Live/Work</td>
<td>2,430 SF Live/Work</td>
<td>4,740 SF not accounted for</td>
</tr>
<tr>
<td>6 units</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The PD Land Use allowances for Block 11 are distinct from either Block 9 or Block 10, as all of Block 11 is zoned exclusively for ground-floor commercial uses. The Floor Plan Exhibits provided by the applicant clarify that all of the interior units on Block 11 are also requested to allow for live/work units.

The absence of detail or justification for this live/work request makes it difficult to evaluate. The delta between the two development proposals also complicates this review. The current PD land use restrictions provide some guidance, however, on where commercial areas were prioritized as well as the amount of residential or live/work areas that were considered appropriate to creating a vibrant and successful Main Street. Any reductions to ground-floor commercial areas should be considered in light of the PD vision as well as in the context of the reduction to commercial floor area along the Downtown Plaza that will occur should the civic and residential clubhouse and leasing center be approved within the southeast corner of Block 6.

**Overall Landscape Design**

There are several elements included with the landscape plans for this project. A separate landscape summary has also been included with the FDP for the public streets included with this development proposal. Staff has already provided design summaries of the Plaza and Promenade within Parcel K and dog park proposed within Lot 1, Block 7. This FDP proposal also illustrates location and design of the residential landscapes between buildings, and around the interior parking areas proposed for Blocks 6, 7, and 9-11. Landscape plans show locations of all proposed plant material, mulched planting beds, raised planters and sodded manicured lawns. Other site furnishings and elements include benches, trash receptacles, bike racks, mail kiosks, and lights. Staff has reviewed the details of these plans, generally finds them to conform with the intent of the PD and is supportive of both the species and site furnishings proposed.

The landscape plans include a plant legend that describes the types and sizes of all plant species and are categorized as trees, shrubs, grasses and perennials. The species chosen within each category conform with the species allowed by the Design Guidelines and are composed primarily of low water and salt tolerant plant species. Staff also finds the planting details, notes, legends and tables to generally conform to applicable requirements.

Per geotechnical recommendations, a 5’ ‘no planting and watering zone’ has been designed around all buildings to direct water away from foundations. Wood mulch will fill this clearance, as well as, be the mulch for planting areas. Shrubs and perennials provide a vegetated edge between the
back of walk and buildings. Raised planters with drains are in select areas where space is limited to 5’ or less to allow for perennial planting at the base of the buildings. Special attention was directed to the solar aspect and exposure of the plant material relative to the placement around the buildings. A minimal amount of sod areas has been proposed in select areas where there is adequate space for a functional lawn area. The design intent of the proposed landscape is to provide year-round interest in both form and color by using a diverse planting pallet that works within the bounds of the limited planting areas.

**BLOCK LEVEL SITE DESIGN, ARCHITECTURE, & PD/DG CONFORMANCE**

In addition to the overall site layout and use allowances envisioned by the PD discussed above, this proposal is also subject to PD and DG guideline requirements that are best addressed on an individual block or more focused development-area context. Architecturally, this submittal can be separated into the following development types:

1) The stand-alone commercial buildings are proposed on Block 4 as well as Lots 2 and 3 of Block 7;
2) The exclusively residential apartments are proposed over the northern half of Block 6 and all of Lot 1, Block 7;
3) The wrapped, mixed-use parking garage proposed along the southern half of Block 6 adjacent to Main Street and the Downtown Plaza;
4) The three mixed-use buildings (retail below/apartments above) proposed along the southern edge of Main Street;
5) The Rowhomes proposed over the southern halves of Blocks 9-11.

**Block 4**

Block 4 is proposed to be platted as a .769 acre and be developed with a 5,492 SF restaurant. The restaurant building is sited over the eastern portion of the Block and the western half is designed for 44 surface parking spaces. The location of the restaurant building will maximize views over Park 2, and the placement of the parking will allow for vehicle access drives from both Creek View Way and Marshall Road. Movements to and from Marshall Road will be limited, however, to right-in and right-out turns.

The restaurant building is proposed at 31’9” which is within the 32’ height allowance that the PD affords this Block. The site plan also illustrates that the restaurant will be compliant with building setbacks, which are effectively 0’ from all sides, but Creek View Way also includes a maximum setback of 15’. The site plan for this building illustrates that the southern building façade will sit between 2’ and 12.9’ from Creek View Way. The proposed restaurant use is also consistent with the commercial zoning designation.

The architectural details of this building are illustrated on FDP Plan Sheets 63 & 64. The building is shown to measure 103’ in length and be ~ 66’ wide. A mix of brick, CMU, steel, and glazing is proposed for the exterior. Two colors of brick are proposed, a dark brown and light red. The brick is the predominant feature of the shorter east and west building façades, while the CMU is the primary material on the north and south elevations. FDP Plan Sheet 64 reflects a dark, steel-blue stucco, and a light grey stucco, which presumably are to be applied over the CMU, but plan sheets 63 and 64 need to be reconciled for clarity. Generous glazing has been incorporated over each building elevation, but the percentages that windows cover a façade are not included in the
material breakdowns. The FDP sheets will need to be updated accordingly. Staff has related these types of technical corrections separately and is requiring updates be made prior to the Town Board meeting.

The elevations for this restaurant, however, reflect 4-sided building architecture, which is appropriate for this block of development. The Project Narrative associated with this proposal broadly addresses how the application is compliant with DG architectural design elements, but does not evaluate buildings individually. Section 6.B-6.E detail the architectural design requires for the commercial core and cover a variety of design elements including grounding building bases, intuitive building entrances, articulation and fenestration. Appendix C of the DGs also clarifies the color and material palettes for Downtown Superior.

In general, staff finds the proposed restaurant on Block 4 to be compliant with the intent of the PD and DG regulations. One area where this design could be enhanced, however, is in identifying the primary entrance, which staff assumes to occur on the western building elevation, which fronts the parking area. A canopy should be added to help distinguish this entrance. The elevation plan sheets also illustrate sign band locations, and no signage is shown on this western elevation, which also faces Marshall Road. Other façades reflect multiple sign band locations. These locations either need refinement and the standard compliance notes added or the applicant should request to simply defer signage reviews until tenants are identified. Any signage on this building will need to follow DG requirements for sizes, quantities, etc.

Staff is seeking direction from PC regarding whether general notes regarding signage requirements are sufficient for this proposal, with final details to be provided to and reviewed by staff once a user has been identified.

Block 6 (North) & Block 7, Lot 1
The northern half of Block 6 and all of Lot 1, Block 6 are proposed to be development with apartment buildings. Morgan-Ranch has proposed four different building types or layouts for the 10 apartment buildings they are proposing in this area. FDP Plan Sheet 29 details the elevations proposed for Layout A, which is proposed in 5 locations. FDP Plan Sheet 30 details the elevations for Layout B, which is proposed in one location. Plan Sheets 32 & 33 detail the elevations for Layout C, which is proposed in two locations; and FDP Sheet 34 includes the elevations for Layout D, which is also proposed in two locations.

Staff has inserted the map below to clarify the locations proposed for each layout. Locations for Layout A are reflected in green and illustrated to occur in four locations on Block 6 North and one location on Lot 1 of Block 7. Layout B is illustrated in blue and shown in one location on Lot 1, Block 7. (The elevations sheets noted above for these layouts clarify that color and material finishes for Layouts A and B are identical). Layout C is illustrated in orange and proposed in two locations on Block 7 and Layout D is illustrated in yellow and proposed in two locations on Block 6. Layouts C & D are also proposed to have identical color and material schemes.
All of these apartment buildings are proposed to be three stories tall. Maximum building heights vary slightly, but all buildings will be under 41’ in height and compliant with the 55’ massing allowance afforded for both of these blocks. As illustrated, building lengths and shapes vary within the four layouts proposed. The shortest building length for Layout A is roughly 123’ and the longest building (Layout C) measures over 211’. Building depths also vary between 42’ and 80’, with the norm for unit depths closer to 45’.

Architecturally, the apartment buildings will feature consistent building form, design elements, and materials. Layouts A and B would be finished with a mix of greys and an off-white, that are accented with elements of black stucco and trim. Layouts C and D feature an orange brick and black lap siding that differentiate them from the finishes proposed for Layouts A and B. Architecturally, building façades are broken up into vertical bays through material changes. These bays also feature variation in rooflines to create visual interest. While building forms change slightly between the four proposed layouts, the material and color variation will play a larger role in differentiating units from one another. Morgan-Ranch has elected to line both sides of the Promenade with Layouts A or B, which will result in the same color and material schemes on these four buildings.

**Staff is seeking direction from PC on whether or not consistency or variety is preferred along this prominent corridor.**

In addition to the proposed product mix, staff is also seeking direction from PC on the proposed building orientation and pedestrian design elements. Morgan-Ranch has done well to establish consistent building frontage on the Promenade, as well as Creek View Way to the north. Building orientation to Marshall Road and Superior Drive is not as strong, although Layout C does wrap and afford these buildings more frontage along Superior Drive.

**Staff is seeking PC direction on whether the proposed building orientations for apartment buildings 6-02, 6-03, 6-04 and 7-06 are sufficient. These structures are viewed as requiring variances from Section 8.3.C of the DGs, which requires building fronts and main entries to orient toward a street (or public paseo).**
Staff acknowledges the DGs extend an additional provision within the Downtown Core for building entries to orient to either a street or a public paseo. However, because east-west public paseos are not proposed within either Block 6 or Block 7, staff does not view this allowance as applying to the buildings listed above.

Building orientation is also only one factor in whether a structure truly addresses and activates a street frontage. Section 6.6 of the DGs specifically addresses the “Relation of Building Exteriors to Pedestrians” and Section 6.7 addresses “Building Entrances.” Section 6 of the Design Guidelines applies to all of the Downtown Core, but many of the guidelines assume ground floor commercial uses with residential on upper floors. Nevertheless, several strategies for creating an enhanced pedestrian experience on the ground level remain applicable. In addition to the utilization of high-quality materials and creating rich palette of colors and materials, the DGs encourage awnings, arcades, canopies, and trellises to create interest and provide shade/shelter. Building entrances are to be directly accessible from the street or paseo and shall either oriented to or easily accessible from the street or public way. Canopies, awnings, and building columns are also recommended as a means of defining building entries. On upper levels, terraces and balconies are encouraged for residential uses, and permitted to either be recessed or projecting. Section 8.3.C of the DGs also addresses building fronts and main entries orienting to a street, and clarifies that ground floor units should have exterior entries whenever possible.

Morgan-Ranch provided floor plans as exhibits to clarify how apartment units are proposed to be distributed over the three floors proposed. The ground-floor plans illustrate that private entrances are provided to each unit. Covered public/shared entries are also proposed in strategic locations for access to units on upper floor levels. For Layout D, the largest apartment building, two covered shared entries in addition two three private patios (uncovered) are visible from the front of this 185’ long elevation. Given the myriad of encouraged and required pedestrian design elements for activating public spaces, staff is requesting direction from PC on whether the ground-floor elements of the Morgan-Ranch apartments are sufficient. Ground floor design elements are currently limited to awnings over shared building entries and at-grade patio enclosures.

Staff is also requesting that particular focus be given to the Pedestrian Promenade, which is a public area that will link the Downtown Plaza with the two parks along Coal Creek, as well as the restaurant proposed for Block 4. Layouts A and B will line the Promenade. These buildings are shorter in length than Layout D detailed above. Layout A includes two covered public entrances in addition to three enclosed private patios along the front building façade, which spans 122.5’. Layout B includes the same number of public entrances and private patios as Layout A, but over a 164’ building length. A perspective view of Layout A is provided below for reference.

In prior reviews of townhomes and single-family buildings, emphasis has been placed on large and inviting front porches. Apartments do not have porches; the awnings proposed over shared building entrances and private patio enclosures are proposed to serve a comparable purpose. Staff is seeking PC direction on whether or not these elements are sufficient or if additional or enhanced entrance elements should be required.
Staff is seeking direction from PC on whether the ground floor design of the Morgan-Ranch Apartments within Blocks 6 & 7 are sufficient or require additional elements to both define the entries, distinguish ground floors from upper stories, or otherwise enhance the adjacent pedestrian realm. Ground floor design elements are currently limited to awnings over shared building entries and at-grade patio enclosures.

In addition to the variance request noted above on building orientation, Morgan-Ranch is also seeking variances related to the residential typology definitions. The apartment product that Morgan-Ranch is proposing for these portions of Blocks 6 & 7 does not fit squarely within any of the six residential typologies established for Planning Area 2. Typologies A, B, and E are arguably the three typologies that most closely match this product. However, Typology A – Flex Apartment Over Retail is not an obvious fit because the proposed apartments are not proposed above retail uses. Typology B – High Density Residential Flats are envisioned to rely on shared structured parking, and Typology E – High Density Attached are projected to be apartment buildings with six units. Morgan-Ranch has classified their project as most closely resembling Typology E, which requires variances from this definition’s restrictions on units per building, as well as the sizes of the units themselves.

The requirements for Residential Typology E are detailed in Section 8.10.E of the DGs and Figure G.3 of the PD. The PD Figure clarifies that Typologies A-F are permissible within Planning Area 2, while Typologies G-K were allowed in Planning Area 3. The description for Typology E clarifies that unit sizes of high-density flats are to range between 1,250 and 1,600 SF and include tuck under parking that is accessed from a shared internal driveway. This product is also described as medium-high density residential with single-level living, with units accessed through a central shared ground floor, street-fronting elevator lobby, providing access to a total of six one- and two-bedroom flats (two per floor). It is evident that the prescribed six units were to occur over three floors, but additional massing is also contemplated in the definition. Balconies and terraces are encouraged, and outdoor spaces including paseos and courtyards are intended to be shared by residents.

Morgan-Ranch has designed their High Density Attached Flats to include between 18 and 26 units per building. Apartments are also intended to include studios as well as three-bedroom units, in addition to the one- and two-bedroom units permitted within this Typology. Additionally, the three studio models proposed are 416, 432, and 549 SF each. Although the studios present the smallest SF proposed, none of the one- or two-bedroom units proposed meet the 1,250 SF minimum outlined in this Typology. Only the 6 three-bedroom units (proposed at 1,350 SF) within the two Layout D buildings meet minimum SF requirements.

Morgan-Ranch, therefore, is requesting variances for both the number of units that are permissible within this Typology description as well as the sizes of units they are proposing. Again, the PD provides some additional context regarding what was envisioned for residential development on a broader scale. Typology E is not the only residential product description within Planning Area 2 that established a limit on the number of units within one complex. Typology C established a two-unit limit for cluster Townhomes and Rowhouses and Typology F established a 6-unit limit for
Townhomes with Attached Penthouses. The PD also only contemplated individual residential units with a minimum of 900 SF of living area.

Staff is seeking direction from PC on whether or not the apartment buildings with 18 and 26 units per building is supported as a design variance.

Staff is also seeking direction from PC on whether studios and three-bedroom units are permissible within Typology E, as well as whether or not the sizes of the proposed units (416 SF- 1,162 SF) are supported as design variances.

Morgan-Ranch has indicated that an allowance to sign their apartment is requested in certain locations (front and side elevations of Layout C). Neither the PD nor the DGs contemplate signage for residential buildings. The lone residential signage allowance relates to free-standing signs for residential neighborhoods in the southeast corner of Downtown Superior (Planning Area 3). The applicant has not clarified the need for signage or why it has been proposed for the Layout C units, but not others. Given the location of these Layouts along Superior Drive, visibility from the US36 Highway may be the motivating factor. Because residential wall signage is not specifically allowed within Downtown Superior, a variance would need to be granted to allow it. The application does not include any detail on the size of the area proposed or the type of signage. Should signage be supported, staff’s recommendation would be for it not to be lit. Sign area allowance also should not be allowed to exceed the 35 SF permitted on the Superior Medical Center to the east.

Staff is seeking direction from PC on whether or not residential wall signage is permissible as a variance on the Morgan-Ranch Layout C apartments, and if so, what size and illumination requirements should apply.

The description for High Density Residential Flats also stipulates that Typology E units will include common outdoor spaces to be shared by residents within centralized plazas and courtyards internal to blocks. Opportunities for gathering spaces within the site landscape design for Block 6 North, and Lot 1, Block 7 are minimal, and generally limited to the dog park area and the pathway between buildings 6-03 & 6-04.

Staff is seeking direction from PC on whether or not the apartment buildings within Blocks 6 & 7 include sufficient common outdoor spaces for residents to gather.

The Morgan-Ranch elevations for their apartments also reflect rooftop HVAC units. Although note A clarifies that all units will be roof-mounted and screened from view, the elevation renderings do not reflect adequate screening. Parapets and HVAC locations need to be coordinated to ensure complete screening and views from adjacent multi-story buildings need to be considered. If parapets cannot sufficiently screen units, screen walls will need to be utilized. Staff will continue to work with the applicant to ensure compliance with screening standards as Construction Drawings (CDs) for this project are finalized.

Block 6 (South)

South of the six apartment buildings proposed on the north half of Block 6, Morgan-Ranch is proposing a five-story, 226,233 SF mixed-use building that includes a parking structure
(referenced as Building 6-01). As clarified in the Overall Site Design summary above, this building will be sited to abut both Main Street and the Downtown Plaza and include a mix of uses, including residential, civic and commercial. Below staff has inserted the proposed building footprint for this structure and highlighted the various uses that are proposed for the ground floor of this building.

Morgan-Ranch is proposing residential uses in the locations reflected in yellow, the Civic Space location is illustrated in orange, and commercial space for the area illustrated in red. The perspective renderings that Morgan-Ranch prepared for this building are also included to help clarify the material finishes proposed for the south and west building elevations. Renderings were not provided for the western or northern façade of this mixed-use building. Apartment buildings are proposed along the northern edge of this building. Morgan-Ranch needs an exception from the PD Land Use designations to locate either the civic space or their proposed clubhouse/leasing center along the Downtown Plaza and Main Street.

The site plan above illustrates that the structure is set close to the southern, eastern and western property lines. Vehicle access to the garage will come from Marshall Road. The Partial Site Plan sheet included for this area of development illustrates that setbacks along Main Street vary from roughly 6” to 18”, and setbacks from Marshall Road vary between 1’6” and 8.5’. The PD applies two setbacks to Block 6 a 0-10’ requirement for Main Street, the Plaza and Promenade, and a 0-15’ requirement for Marshall Road and Creek View Drive. Given the allowance the PD affords for passageways, paseos, and courtyards, staff finds the proposed building to be compliant with setback requirements.

FDP Plan Sheets 36-43 detail the elevation plans and color and materials proposed for this building. Because the uses of each building façade vary, the architectural designs as well building materials and colors also vary from one elevation to another. These plan sheets clarify the proposed building dimensions. Due to the size of the building, the north and south elevation renderings on Sheets 36 & 39 have been split in two. Plan Sheet 36, for instance, illustrates the western half of the north elevation as Area C and the southern half as Area B. The entire northern and southern elevations span roughly 300’, while the eastern and western elevations measure closer to 200’ in length. All elevation plan sheets also reflect a maximum building height of 72’. The PD established a 65’ height maximum, so this portion of the building requires a height variance. The majority of this building is proposed at 4 stories and will stand closer to 50’ in height, but the fifth floor which covers a 32’ x 81’ (2,400 SF) area and is setback 34’ from the building edge requires a height exception.
In addition to dimensions, FDP Plan Sheets 36-43 detail the elevation plans and color and materials proposed for this building. Because the uses of each building façade vary, the architectural designs as well building materials and colors also vary from one elevation to another. The southern elevation, which will front Main Street is illustrated on FDP Sheet 39. The western half of this façade is illustrated at that bottom of this plan sheet and the eastern half is reflected above. Moving west to east, three bays of retail space are proposed near the corner of Main Street and Marshall Road. The frontage along Main Street is then broken by a roughly 15’ pathway to the parking garage, before another row of eight retail bays fronting Main Street begin. Main Street commercial buildings are illustrated to be defined by a variety of brick colors and finishes. As illustrated on FDP sheet 40, five different brick finishes are proposed, in shades of grey, red, black and white, in addition to three complementary shades of stucco. A dark grey ribbed fiber cement board and a black metal round out the materials and colors proposed along the commercial portion of this southern façade.

A perspective view of the commercial proposed along Main Street is also provided on page 29 (on the left). As illustrated, the residential uses proposed above the ground-level retail are setback further from Main Street. (The western building elevation reflects this setback as minimum of 10’). Because the southern elevation of this building is four stories, this 10’ step-back above the commercial spaces will help maintain an inviting pedestrian scale along Main Street.

As illustrated in the adjacent perspective view, Morgan-Ranch is proposing a clubhouse and leasing center at the southeast corner of this building which will front both Main Street and the Downtown Plaza. Consistent with other residential leasing centers in Superior, the Town classifies this as a residential use that requires an exception from PD standards.

This clubhouse is proposed to span two floors, but at taller floor plate heights than the residential uses proposed elsewhere in this building. FDP Plan Sheet 41 illustrates the color and materials proposed for this building corner. The primary siding is proposed to be a metal rain screen finished in gradients of orange. The renderings suggest this color gradient will result in a wood-like appearance. The Morgan-Ranch clubhouse will also be defined by generous glazing finished in black metal trim.
The Town’s Civic Space is sited north of the clubhouse on the building’s eastern elevation, and has a distinct material scheme, which is reflected on the right (as well as FDP Sheet 43). This color palette is defined primarily by greys and blacks. The red/brown composite decking is limited to the stair/seating design element that will front the Downtown Plaza/Promenade.

The perspective rendering also illustrates that a ground-floor paseo between the clubhouse and civic space is designed to provide access to the interior parking garage. This illustration also includes a mural on the interior wall. Generous windows have also been incorporated into the design of the Civic Space, with operable garage doors on both levels allowing for interior spaces to open up and function as an extension of the Plaza/Promenade. Although the color variation of the Town’s Civic Space is fairly monotone, a variety of materials are proposed, and the dark colors will complement the primarily white residential exterior, which defines the upper eastern building elevation, as well as the finishes proposed for the clubhouse/leasing space.

The northern and western elevations of the mixed-use parking garage feature similar color and material finishes. No perspective rendering was provided, however, for either of these elevations. Elevation plan sheets, however, clarify that an off-white, ribbed cement panel (illustrated on Plan Sheet 41) is proposed as the primary material finish for the ground floor. These elevation plans also illustrate that a light grey stucco is proposed for the upper residential floor levels. A black trim board is shown to cap the first floor providing a visual and material break between the lower level and the three floors of apartments proposed above.

Aside from the northwest corner of this building, no residential units are proposed along the ground floor of the western building elevation that abuts Marshall Road. The detailed site plan for this area (FDP Sheet 5) clarifies that several utilitarian purposes will be served along this building edge in addition to the garage entrance. Residential and commercial trash and recycling facilities will be located within the garage, but sited along this frontage along with bicycle storage. A loading zone between Main Street and the garage entrance will also be designated along Marshall Road to serve the commercial businesses located within this building. (The Marshall Road design is part of the separate ROW and infrastructure FDP).

The ground-floor elevation of the northern building façade will be residential. Seven residential patios are illustrated along this façade. These units open up to an 8’-wide sidewalk and public access easement that provides the lone public mid-block connection through Block 6. Second through fourth building elevations for the apartments are proposed to primarily be finished in an off-white stucco. Where covered recessed balconies have been incorporated into the architectural design of this building, a grey stucco is proposed to provide a contrasting color. An additional black trim board is proposed at the roof line.
Architecturally, this building largely conforms with PD and DG standards for the south and east-facing building elevations. The western elevation facing Marshall Road and the northern elevation, facing the apartments planned for the northern half of Block 6 could benefit from additional building articulation, as well as additional architectural enhancements to define building entrances and create a more human scale as required in Section 8.3.A of the DGs. Rather than rehash the analysis and code citations that were provided for the apartments proposed for the northern portions of Blocks 6 & 7, staff has summarized areas where design improvements should be made (otherwise exceptions to DG requirements are necessary).

- Provide more distinct first floor level. Ground this large structure with an enhanced building material (brick) in one of the darker blacks or greys already included with this color scheme.
- Enhance articulation of each wall. Incorporate projecting balconies into design. High Density Residential Flat are to incorporated a mix of projecting and recessed balconies.
  - Confirm depths of balconies provided. DGs require 5’ depths.
- Provide greater vertical separation through material use. No definition currently exists between units. Same material techniques that were used for stand-alone apartments should be incorporated here. When a building increases in size, more architectural elements are needed, not fewer.
- Enhance/define building entries with canopies, awnings, columns, etc.
- Add variation to roof lines as required by Section 8.4.A. Enhance roof cap to provide proper terminus for a building of this size.

Staff is seeking PC direction on whether any additional conditions to address the bulleted concerns listed above for the western and northern building elevations of Building 6-01 are recommended.

Because units on the northern elevation of this building do not orient to a street or public paseo, this proposal will require an exception to this DG standard. As alluded to above an 8’-wide sidewalk will provide public access to this area, but this easement is limited to the sidewalk area and the larger apartment area north of this mixed-use building is proposed to be private.

Staff is seeking PC direction on whether the apartments proposed along the northern elevation of Building 6-01 are supportable. These units require a variance from Section 8.3.C of the DGs, which requires building fronts and main entries to orient toward a street (or public paseo).

Morgan-Ranch defines the residential portion of this development as Typology A – Flex Apartments Over Retail. Units within this typology are permissible between 900 and 1,100 SF in size and are to be serviced by a shared parking structure located mid-block. Again, both the units proposed and the proposed building design does not fit squarely within the designated typology. Apartments are only proposed over retail on Main Street, and only one and two-bedroom apartments are included within Typology A. Morgan-Ranch is proposing studios and 3-bedroom units. The PD also does not contemplate a wrapped parking garage, and generally limits the massing of this typology to 4 floors. Morgan-Ranch consequently requires an exception to develop several of apartments proposed within this building.
**Block 7, Lot 2**

Lot 2 of Block 7 is proposed to include two commercial building sited north of the Downtown Plaza. Building 7-01 at nearly 10,000 SF is sited internally within Block 7 and angled to follow the shape of the Plaza. Building 7-02 is proposed at 3,814 SF, and located between Building 7-01 and Superior Drive. This structure is also oriented toward the Plaza. FDP Plan Sheet 8 provides an enlarged view of the site design for this area and clarifies how it will interface with the design for the Plaza. Both buildings are proposed as commercial only, with no allowances proposed for live/work conversions. The potential for eight restaurant or retail bays is illustrated within Building 7-01 and an additional three storefronts are shown within Building 7-02.

The elevation plans for Building 7-01/Layout J are detailed on Plan Sheet 57 and the designs for 7-02/Layout K are shown on Plan Sheet 59. Enlarged perspective renderings of each building are included below (page 35) for context.

The respective elevation plan sheets clarify that both buildings will have a maximum height of 24’6”. Building 7-01 will measure 162’ in length and is proposed at 64’2” deep. Building 7-02 is just over 61’ in length and 63’ deep. Consistent with Block 4, the elevation plan sheets also detail the mix of materials proposed. Morgan-Ranch is proposing a majority of stucco on Building 7-01 in addition to brick and glazing. Fiber cement board, concrete, and faux wood slats are also proposed in lesser quantities for this building. Building 7-02 will be finished primarily in brick, although a fairly even split of brick and stucco is proposed for the rear/north elevation.

**Building 7-01**

The color schemes for each building are generally illustrated by the perspective images above and to the right. For Building 7-01, colors include oranges, greys, whites and black in addition to the dark brown faux wood. For Building 7-02, the primarily grey/black brick is accented with the same orange brick proposed for Building 7-01, providing some continuity between the two structures. The grey/black hues on each structure are also complementary.

The ability of either building to achieve 4-sided architecture is impacted by how retail and restaurant spaces function. Backs of units are generally not as visible as these structures will be. Regardless of the visibility, retail and restaurant spaces rely on having a rear of a building for various storage and service needs. Windows into these spaces are generally not practical. Building 7-01 is proposing service entrances to each of the eight commercial bays projected. The
architectural design for each unit also includes a mix of materials (primarily stucco and brick) as well as metal awnings to provide visual interest. The west/side elevation, which will front the Plaza/Promenade and face the proposed Civic Space on Block 6, includes traditional store front architecture with bays, windows, and building entrances. The south building elevation also illustrates that the western end unit within this building will include a patio that fronts onto the plaza, making this an ideal location for a restaurant.

The eastern side building elevation for Building 7-01 does not include any windows. This wall will sit less than 30’ from the western wall of Building 7-02 and the area between the two buildings is designed to include a walkway to the surface parking area planned to the north. Walls are either side are identified as opportunities for a green wall, a super graphic, or a mural. While staff understands that a final decision on which of the potential wall coverings is applied here, updating the language to clarify that something will occur here and that the applicant is willing to meet with the Town’s Cultural Arts and Public Spaces Committee is recommended.

The material and architectural finishes proposed for Building 7-02 are somewhat comparable to Building 7-01 discussed above. The primary difference being that Building 7-02 is almost entirely brick (a higher-end material than stucco). Morgan-Ranch has incorporated several distinct, yet complementary details into this structure to distinguish it from the 7-01 building. The orange brick, which characterizes the eastern third of Building 7-01, has been incorporated into several elements of the 7-02 design, including wall bases, bands above storefronts, and into recessed side elevation columns. The perspective view of this building also illustrates that the orange brick elements will be off-set from the grey-black brick to provide this building with additional elements of articulation and visual interest.

Staff is generally supportive of the design for both commercial buildings on Lot 2, Block 7. Each of these structures are also sited to front and interface with the Downtown Plaza. The only area where architectural enhancements could be considered are on the rear elevations of each building, where opportunities could be explored for enhanced materials, additional fenestration or whether additional murals or public art is appropriate.

On a larger site design perspective, staff has raised questions in the plat memo regarding the need for public easements to both allow for public parking and to afford pedestrians with opportunities to have a mid-block pathway through Block 7.

**Block 7, Lot 3**
Lot 3 of Block 7 is proposed to add an additional 2,645 SF of commercial retail space to the Plaza area. As clarified in staff’s memo on the Morgan-Ranch plat, a developable parcel in this location is not contemplated by the PD, however, development in this location is considered in the PD massing allowances. Because the intent of the PD appears to be to maximize commercial opportunities around the Plaza, staff does not have concerns with the use request, but also does not want to overlook where this proposal varies from PD plan sheets or Design Guidelines.

FDP Plan Sheets 61 & 62 clarify the building elevations and colors and materials proposed for Lot 3, Block 7. As illustrated, shipping containers are proposed to be installed on this block and stacked to create a two-story building with a mix of indoor and outdoor space. The shipping containers are
metal, and the design clarifies that each unit would be painted black. Color would largely be provided to this building through the use of polycarbonate panels, proposed in bright shades of blue, pink, green, and yellow. Metal is an allowed material within Downtown Superior. Primary building colors, however, are generally encouraged to be earth-toned and provisions apply to limit reflectivity. Consequently, staff is seeking PC guidance on whether the proposed shipping containers are viewed as compatible or in need of an exception. If the direction is that the material and colors proposed are suitable for this lot, but may not be appropriate elsewhere within this development, a variance for the proposed structure is recommended.

**Staff is seeking direction from PC regarding whether either the proposed metal shipping container material, or the proposed brightly colored polycarbonate materials on Block 7, Lot 3 require a variance. The latter is certainly not contemplated in the PD. Metal is, but generally viewed as an accent (not primary) building material.**

For all residential and commercial buildings, standard HVAC equipment is required to be screened. Where such units are placed on roofs, parapets as tall or taller than proposed equipment are required for screening. In locations where equipment is sited at grade, walls or evergreen landscaping is required to screen them. No indication has been provided on where the equipment to serve a commercial use within the proposed shipping containers has been illustrated. Staff is requiring notes that outline the above screen requirements be added to all elevation plan sheets so these regulations are clear throughout this development.

**Parcel K – Downtown Plaza and Promenade**

Staff’s analysis of the design for each of these areas was included under the Overall Site Plan Design summary above and can be found on pages 14-17 of this memo.

**Blocks 9-11**

As noted previously, Blocks 9-11 are designed with comparable site layouts, with a mixed-use building proposed along their northern Main Street frontage and Rowhomes proposed to the south. Morgan-Ranch has worked to ensure architectural and material variation to each of the mixed-use buildings along Main Street, which is detailed below. One summary for the Rowhome units proposed is provided after each of the larger buildings are detailed, however, as Remington is proposing the same mix of Rowhome models and material and color finishes on all three blocks.

Like Block 6 South, Morgan-Ranch defines the mixed-use buildings they are proposing along Blocks 9-11 of Main Street as Typology A – Flexible Apartment Over Retail. This Typology is defined in 8.10.A of the Design Guidelines as a building that affords flexible configurations, with units designed around a central corridor, and supported with centralized structured parking. Unit types are to range from micro-apartments to one- and two-bedroom units. Primary massing is to be three stories, with residential units located over a retail podium.

The mixed-use buildings proposed on these blocks more closely follow the Typology A, as all apartments are proposed to be located over retail, but exceptions are still required. Like Block 6, the apartments proposed do not fall within the defined square footage range of 900-1,100 SF. Shared structured parking is also not directly associated with any of these blocks. This proposal, consequently, requires variances from the Typology A description. Staff generally views the
mixed-use buildings proposed on Blocks 9-11 as meeting the intent of the Design Guidelines, however. Structured parking for the larger apartment proposal is provided on Block 6. Morgan-Ranch’s request for the Live-Work conversion, however, eliminates a substantial amount of the ground-floor retail. Under this development scenario, these buildings would no longer meet the intent of this typology.

**Block 9 Mixed-Use Building**
The elevation plans and color and materials board for the ‘Layout H’ building proposed on Block 9 are detailed on FDP Sheets 53-56. Like Block 6, the length of the building’s north and south elevations (which span over 290’) require these elevations to be divided in two on Plan Sheets 53 and 54, which respectively reflect this building’s front and rear elevations. FDP Plan Sheet 47 illustrates the side building elevations for Layout H, and clarifies that the proposed building depth is roughly 62’. These elevation plans sheets also illustrate that building the maximum height for this building is proposed at 47’1” (well within the 65’ building height maximum permitted for the northern portion of Block 9).

In addition to these overall building dimensions, these plan sheets also detail several horizontal and vertical internal building dimensions, including 11’6” heights of storefront windows, width variations among retail bays, and variations in parapet heights. The perspective view of Block 9 has been inserted on page 38 below. This image illustrates how the architectural design relies on material, color, and roof line variation to create variety and visual interest along this block of Main Street.

**Block 9**
![Block 9 Image]

This block face rendering also illustrates that color and material variety that will be incorporated within Block 9 as well as the articulation that has been incorporated on the upper two stories. As illustrated on Plan Sheet 56, four different shades of brick, and four stucco colors are proposed, in addition to two shades of lap siding. Brick colors include red, orange, grey and brown, while stuccos are proposed in black, white, orange and dark green. Each building corner is proposed to be finished in brick on all three floors. Brick is also the primary building material on all ground-floor façades. Color variation within the brick finishes along with columns and variation in base treatments, fascia, and awnings are all relied on to distinguish store fronts from one another.

Material variation occurs more frequently on second and third floor levels, where stucco and lap siding finishes are used to create variety and interest. The apartments that are proposed over ground floor retail feature a comparable mix of studio, one-, two-, and three-bedroom units detailed above in staff’s analysis for Block 6 North and Block 7, Lot 1. Balconies are also reflected on both second
and third floor levels, providing an additional element (beyond ground-floor retail) to activate Main Street.

Side building elevations illustrate that brick as well as generous storefront windows are proposed to wrap building corners and define ground floors. Windows and balconies are also included on upper levels. The rear building elevation also illustrates that four-sided architecture will be achieved. Upper levels include generous windows and balconies. While building corners will still be finished with brick on all three floors, more stucco has been applied to the back of the building (including ground floors). This rear building façade will face south toward the surface parking area included on Block 9.

The Floor Plan Exhibits illustrate the interior layout and clarify that entries sited along this façade will provide service and employee access to ground-floor retail, as well as access to the residential units on floors 2 & 3. Two public entries are illustrated near each building end, affording access to upper floors. The apartment layouts for the second and third levels are identical, with 18 units proposed on each level. Access is also afforded to an elevator, ground level bike storage, and to an interior hallway that extends to Main Street.

**Block 10 Mixed-Use Building**

The elevation plans and color and materials board for the ‘Layout F’ building proposed on Block 10 are detailed on FDP Sheets 45-48. As illustrated, the building on Block 10 is proposed to be the same height as Block 9 (47’ 1”) but it is slightly longer in length. Where the mixed-use building on Block 9 measures ~ 290’ long, Layout F structure proposed for Block 10 is close to 304’ long, but proposed at a comparable 62’ depth.

The color and material scheme of Layout F will also ensure that the block faces of the buildings on Blocks 9 & 10 are distinct, yet complementary. Like Block 9, four different brick finishes are proposed for this block. Three of the four colors used on Block 9, will also be incorporated on Block 10, with the red/brown brick being substituted for a red brick. Additional color variation occurs in the siding and stucco colors. Two unique siding colors are also proposed (blue and light grey) in addition to a light green stucco. The new siding and stucco colors proposed for Block 10 replace the green siding and dark green stucco used on Block 9.

In addition to variation in colors and materials, Morgan-Ranch has worked to also vary the application of these materials between block faces. For instance, within Block 9, the orange brick is employed on the ground level of four interior storefronts. Within Block 10, this material is
proposed to define the northeast building corner and serve as the ground floor treatment of the northwest building corner as well. Although brick still serves as the primary building material for ground floor retail, small amounts of stucco and horizontal lap siding have also been incorporated into Layout F. The composition of Layouts F and H also vary. Consequently, in addition to material and color variation, the rooflines of the two buildings, variation in widths of vertical bays and window and balcony locations will ensure a unique experience as one transitions from Block 9 to Block 10.

Block 11 Mixed-Use Building

The elevation plans and color and materials board for the ‘Layout G’ building proposed on Block 11 are detailed on FDP Sheets 49-52. These plan sheets illustrate that this building is proposed at 45’ in height, and roughly 290’ in length and 62’ deep. Like Block 9, Layout G on Block 11 is proposed to include 36 apartment units over roughly 16,600 SF of ground-floor commercial. The buildings proposed for Blocks 9 and 11 are quite similar. Subtle variations in the color and materials boards are proposed, and Morgan-Ranch is proposing variations to where materials and finishes are proposed to ensure that the two buildings are not identical, but differences between these structures are fewer than the similarities.

As illustrated above, the composition of these two buildings is virtually identical in terms of forms, roof lines and parapets, and building articulation. Several consistencies also exist in terms of material color and finishes. Morgan-Ranch is primarily proposing the four variations in color finishes to distinguish these two buildings from one another. Morgan-Ranch has also noted that these two structures are not adjacent to one another, but rather separated by Block 10, which will ensure that visitors do not experience the two blocks simultaneously – making the similarities less obvious.
Rowhome Architecture

FDP Plan Sheets 67-72 clarify the layout and elevation details for Remington’s Rowhomes. FDP Sheet 67 illustrates how units will be laid out in similar fashions over Blocks 9-11. This plan sheet also includes typical lot illustrations, tables that clarify how floor areas are proposed to be distributed, and notes regarding setback compliance. The typical lot illustrations clarify that Plan 109 is proposed exclusively as an end unit, while Plan 103 can be utilized as either an interior or end unit. These lot typicals also illustrate that 0’ foot setbacks are proposed on all sides, but end units are shown to be 2’ from side lot lines, and primary building façades are illustrated to sit closer to 2’ from front property lines and 3’ from building rears than the 0’ setback suggest. For all setbacks, the 0’ allowance will allow for eaves, overhangs, and other architectural design elements to protrude out from a building and provide for additional building articulation. Remington’s Rowhomes, for example, include second-floor balconies that project out to the lot line, but in no instance can will portion of these buildings encroach over a lot line.

FDP Sheets 68 and 69 illustrate the Building Elevations for a six-plex unit. Eight of the eleven building Rowhome building complexes are proposed to be 6-plexes. The other three complexes are designed for 4-, 5-, and 7-unit buildings. The front and rear elevations are illustrated on FDP Sheet 68 and the side elevations are reflected on FDP Sheet 69. This design is comparable to the Remington Townhome products that have been approved for Blocks 13 and 25, which lie south of Blocks 10 and 11. These elevations reflect a building height of 39”7” and building width of 123’. The FDP also includes elevation plans (Sheets 69 & 70) that include rooftop deck options and the ‘doghouses’ that would provide access to roof tops. Heights of these structures are reflected as 44.’

Front elevations are proposed to include a mix of stone veneers, stucco panels, and traditional siding, with a grey stacked stone primarily focused around building entrances and grey siding utilized on upper floor levels. The Color and Material Plan Sheet (72) included for the Rowhomes is missing specific color callouts. White and dark grey stucco panels are utilized to provide contrasting materials on each floor level. The material mixture is generous with both a grey stacked stone and an off-white block stone incorporated, as well as two types of siding (horizontal and board and batten). Architecturally, vertical bays are incorporated to break up the massing and help to identify one unit from another. Although balconies have been incorporated on second floor levels and generous glazing has been incorporated into the design of front elevations.

While most of Remington’s units are oriented to face a public ROW, porches have not been incorporated into these designs. Front entries are covered and distinguished by the stacked stone veneers that surround front doors. The front elevation, as a whole, reads fairly consistently with no significant variation in roof lines or forms and little to distinguish one unit from another. With 64 total units proposed in close proximity, additional architectural variation or color schemes would provide some helpful variation to this area. Additionally, individual units within the building could be more distinct from one another.

Staff is requesting direction from PC as to whether one color and material scheme is considered sufficient for the 64 Rowhome units proposed on Blocks 9-11 as well as whether porches should be required on front elevations.
On rear building elevations, the block stone is utilized on the entire ground floor level, and extended at each building corner to cover 1.5 floor levels. Second and third floors are finished with a mix of stucco and siding. No balconies have been included on rear building façades. Side elevations are reflected as including a mix of materials, with the front half of building sides defined primarily by stucco panels. Stone block is used to anchor the rear building corner, and a second-floor bay window provides façade articulation. The color rendering provided on FDP Sheet 72 best illustrates the color and material palette that Remington is proposing.

Morgan-Ranch defines these units as Typology D, Attached Rowhomes. The PD/DGs established floor area ranges between 1,500 and 1,800 SF, with an additional 250 SF permissible on the ground level (as finished space on garage levels). These units are to have individual entrances and porches. Street-fronting balconies are encouraged and roof terraces are also allowed. The two floor plans (103 & 109) range in size from 1,960 SF to 2,320 SF and include finished ground levels in excess of the 250 SF additional floor area bonus. While Plan 103 at a total of 1,960 SF remains compliant with the allowable floor area, Plan 109 requires an exception for the 2,230 proposed SF, as both the upper floor levels and the ground floor area exceed the standards for this typology. Variances, consequently are required for the floor areas of Plan 109 and for the designs of all Rowhomes lacking front porches.

**PARKING AND TRAFFIC PLANS**

Staff has included some general analysis and comments on the comprehensiveness of the Morgan-Ranch parking proposal within the above site development and block development analyses. In short, Morgan Ranch is proposing to unbundle parking from their apartments. Residential parking is still provided for apartments on roughly a one space per apartment unit proposed. The parking space would not automatically be assigned to an apartment tenant, but rather leased separately. Morgan-Ranch is also proposing a certain amount shared public spaces. Walker Consultants were hired to perform a shared parking analysis for this proposal, which staff has reviewed and summarized below. The study essentially concluded that based on the use distribution proposed, along with various parking demand strategies, that 1,067 spaces are needed to be provided for the proposed development. Morgan-Ranch is proposing to provide the 1,067 spaces within this development phase accommodated through a mix of structured (parking garage), onsite surface parking, and on-street parking spaces. As highlighted above, additional details are required regarding how public vs. private parking will be controlled, how residential users will be prevented from relying on public parking spaces, and how public parking is proposed to be secured as public within a privately-owned garage. Opportunities also appear to exist for shared parking solutions. More information in general is required to ensure the efficacy of the proposed parking plan.

A Master Traffic study governs the entire Downtown Superior Area. Based on site-related updates to this development, such as the Promenade Drive connection to 88th St., staff has requested that this study be updated on several occasions since it was initially drafted in 2012. The Public Works department has reviewed both studies and provided the following summaries on each below:

**Parking**

The mixed-use nature of the development will reduce vehicle trips and parking demand since interaction between land uses can occur without the use of a vehicle. For example, residents can
walk to the BRT Station, work or restaurants and employees can walk to shopping, eating and recreational facilities. While the PD contains “Standard Parking Ratios” for each land use it allows for a reduction in the total number of required parking spaces based on a “Shared Parking Analysis,” which considers the distribution of parking demand during various times of the day for the proposed land uses. The Town approved this approach to parking through the PD to minimize unnecessary use of the DTS area for underutilized parking spaces.

Walker Consultants submitted a Shared Parking Analysis for Morgan-Ranch, dated October 16, 2019. The methodology is based on industry-accepted shared parking methodology using base ratios and hourly and monthly adjustments from ULI’s Shared Parking 3rd Edition (updated 2019). The model considers the captive and hourly shared-use factors between land uses along with appropriate local driving adjustments derived from US Census data and proposed improvements to the project area. Key findings include:

- At the projected peak hour -- a weekend at approximately 7:00 PM -- the recommended parking supply to serve the project is 1,067 parking spaces.
- The projected weekday peak hour is very similar and occurs at approximately 7:00 PM with a recommended parking supply of 1,016 parking spaces.
- The site developer is implementing several strategies to help better manage the parking demand and maximize site efficiency, including:
  - Unbundling residential parking, which will be leased separately from the units
  - Limiting the number of employee permits issued, and
  - Providing covered bicycle storage and enhanced pedestrian connections throughout the project. A total of 266 bicycle parking spaces will be provided with 158 being private interior; 96 being public including frontage on street; and 12 public covered.
- The unadjusted Superior Town Center PD standards would require an estimated 1,081 parking stalls for the base program. The shared parking analysis supports the reduction of 14 spaces.

Staff is in general agreement with the methodology of the shared parking analysis, but noted items regarding assumptions that merit further discussion.

1. The parking demand for the civic space is assumed to be 4 spaces during the peak parking period at 7:00 pm on a weekend evening. While this would be a valid assumption for a use like a library or classroom, it underestimates the eventual parking demand for special events such as large meetings or banquets. As the project phases are constructed and once programming for the civic space begins, the parking impacts should be evaluated. Although beyond the scope of this application, a shared parking analysis of Planning Area 2 should be completed once there are residents and commercial users in this area to identify levels of demand as well as overflow needs of the Sport Stable, Parks 1 & 2 and other destination uses as they are constructed. Staff will work with RC Superior to address overall Downtown Superior parking demand through future applications.

2. The applicant’s projection of alternate mode use will likely require a higher level of travel demand management program implementation than the initial TDM strategies identified above (unbundled parking, limiting employee permits, etc.). Additional TDM strategies to
increase alternate mode use could include providing an on-site transportation coordinator, a TDM marketing program, bike share, car share, and incentives such as resident and employee transit passes. With the recommended condition below, staff suggests a requirement for a broader TDM program to be coordinated by the developer.

3. The developer has been requested to provide prior to the Town Board hearing for this project a more detailed parking space needs analysis by hour of the day for all 24 hours during peak months broken down by block and land use.

The proposed development will be constructed in phases as detailed on the exhibits submitted with this application and will eliminate the temporary parking lot located on Block 7, which has been used for overflow parking. The developer will be required through the construction permit phases of this project to address how each phase of new construction will provide temporary parking and access. An additional parking structure will be constructed on Block 5 with a future application to address project-wide parking needs at full build-out.

Both the parking and traffic analyses submitted by the applicant include optimistic assumptions for alternate mode use, such as 18% alternative mode use by employees. This was predicated on a robust Travel Demand Management (TDM) program as noted above to reduce automobile use and parking needs. To address these concerns, staff recommends the following conditions:

1. Parking audits shall be conducted every six months once the project limits of this FDP reach 50% occupancy (based on floor area) and continue until 90% occupancy occurs to verify the accuracy of parking generation rates and shared parking reductions. The cost of these audits shall be borne by the applicant.

2. The applicant shall develop and implement a parking signage and enforcement program approved by staff which designates public, reserved residential and employee spaces, and includes appropriate signing and enforcement strategies prior to issuance of Certificate of Occupancy for the parking garage sited on Block 7.

3. The applicant shall implement a Travel Demand Management Program based on the 2015 Superior Town Center TDM Plan prepared by UrbanTrans (with updates as approved by staff) to reduce auto travel and parking demand by residents, employees and visitors of Downtown Superior. This program is to include an annual resident and employee travel survey to confirm alternative mode use. The TDM Program and travel surveys shall be initiated per Town staff direction once there is 50% occupancy of the project limits of this FDP (based on floor area) and continue for five years.

Traffic
Traffic Study
A Master Traffic Study was completed for the entire Superior Town Center project (now Downtown Superior) in July, 2013. It has been updated a few times in conjunction with subsequent development approvals. The most recent update was received by staff for the Toll Brothers FDP in September, 2019. A trip generation analysis was received for the Downtown Core (Blocks 4, 6, 7, 9, 10 and 11) which indicated that these blocks will generate 6,311 external vehicle trips on
an average weekday with 194 vehicles entering and 233 vehicles exiting Downtown Superior during the morning peak hour and 320 vehicles entering and 226 vehicles exiting during the evening peak hour. An update to the Master Traffic Study is in process to incorporate this data. Since the proposed land uses in this application are generally less dense than what were assumed in the original traffic study, no changes in recommendations are anticipated.

Circulation and Street Sections
The street layout and street sections of the Downtown Core are consistent with the approved PD, including narrow 10.5 ft.-wide travel lanes, bulb-outs at intersections and on-street parking as design elements intended to limit travel speeds to 25 mph or less. The street system is designed to provide a high-level of connectivity both internally and to the adjacent street network. Bike lanes are included on Marshall Road, which is consistent with the approved PD. All streets include sidewalks, and bicycle parking is provided throughout the proposed development area. Staff has had discussions with RTD about re-routing Route 228 through Downtown Superior via Marshall Road and a proposed bus stop on Marshall Road has been provided. A few changes in ROW widths have been made to reflect what was built with FDP 1. The Main Street ROW has been reduced from 61 ft wide to 58 ft wide to encompass the street and diagonal parking, but not the 2 ft wide truncated domes. A 2 ft. wide strip of truncated domes was added to each side when the design of Main Street was revised to integrate with the plaza space. The curb & gutter were deleted so the street could be flush with the adjacent sidewalks. To clarify maintenance responsibilities, this 2 ft. wide strip of truncated domes along with the edges of several planter strips demarcated by concrete curbs (see photo) were placed outside the public ROW for Main Street and in the sidewalk easement to be maintained by the Metro District. In addition, the ROW width was widened on Creek View Way to accommodate diagonal parking, which will provide additional parking spaces near Park 2. This change was made to address concerns that not enough parking was included near Park 2. Staff is supportive of these changes.

CONSTRUCTION PHASING PLAN
Morgan-Ranch has provided both exhibits and a written summary of how they are proposing to sequence construction. The written summary of their proposal is item #19 in their Project Narrative. The construction of Creek View Way and Marshall Road are listed as the first item, with the construction of these roads described as critical to providing necessary fire access. Utility work within Blocks 9-11 are also listed among the initial construction sequencing steps, with work proceeding from east (Block 11) to west (Block 9). Main Street will remain open and operational throughout construction, but the narrative clarifies that a utility connection from Block 11 to Superior Drive needs to be completed and will require the temporary closure of Superior Drive south of Main Street for roughly 30 days. Access to developed areas, such as the south Sport Stable parking lot will remain open via Promenade Drive and Old Rail Way. Some utility tie-ins for Block 7 are also required north of Main Street within Superior Drive, but these are more minor in
nature and only estimated to require 3 days of construction. Conditions on maintaining access will be applied through staff’s review of construction drawings.

The coordination of horizontal utility layouts within blocks will begin with Blocks 9-11 (south of Main Street) before transitioning to Blocks 6 & 7 to the north. Block 4 is assumed to be one of the final blocks to develop and will be used as construction staging during initial construction sequencing. Vertical construction is noted to begin with Block 6-01 which includes the proposed parking garage, Main Street retail, the Town’s Civic Space in addition to 76 apartments and the proposed Clubhouse and Leasing Center. Construction of the multi-use building on Block 11 will also begin in the early vertical construction stages. As vertical development of the wrapped parking garage and the additional multi-use building on Block 11 progress, construction crews will move on to the apartments within the northern portions of Blocks 6 & 7 and to the additional Main Street mixed-use buildings on Blocks 9 and 10. The Morgan-Ranch construction crews on Block 9-11 will also need to be coordinated with the development of Remington’s Rowhomes. The construction sequencing narrative also clarifies that the Downtown Plaza and Promenade are proposed for construction in the early vertical development stages, that the apartments within Block 7 are proposed to be sequenced in the second phase of Block 7 construction, followed by the retail proposed within Lots 2 & 3 of this development block.

SUMMARY ON PD AND DESIGN GUIDELINES COMPLIANCE
Morgan-Ranch is requesting the following variances from what was contemplated by the governing PD and Design Guidelines for Downtown Superior. Staff has also highlighted the areas where general direction from PC is requested. The list below is limited to variances; a separate list has also been provided on pages 48 & 49 regarding requests for direction. Items within the list below are grouped by topic (PD or DG requirement), while the requests for PC direction are listed in the order they are mentioned in the above analysis.

Variance Requests:
1) Use allowances
   a. Live/Work Request for Main Street.
      i. Morgan Ranch is requesting that more than 25% of PD designated areas be allowed as residential Live/Work.
      ii. Morgan Ranch is also requesting that additional live/work flexibility be afforded along Main Street, which would allow as much as 54% of proposed commercial retail areas planned for Blocks 6, and 9-11 to convert to live/work uses.
         1. Morgan-Ranch is requesting that this conversion be allowed if retail spaces are not leased after 18 months.
      iii. The live/work request for Main Street (Blocks 6 & 9-11) would require an exception the Residential Typology definitions, as requirements for Flexible Apartments Over Retail would no longer be met.
   b. Commercial Floor Area Requirement for Plaza area
i. Morgan-Ranch is requesting use for Apartment leasing (residential use) on corner of Main Street and Downtown Plaza which is zoned for Commercial.
ii. Morgan-Ranch is requesting to site Civic Space along area of Promenade/Plaza which is zoned for Commercial.

c. Morgan-Ranch is requesting Lot 3, Block 7 to be platted as a developable lot and improved with 2,645 SF of retail space.

2) Building Orientation
   a. Morgan-Ranch is requesting apartments within Blocks 6 North (Buildings 6-02, 6-03, and 6-04) and Block 7, Lot 1 (Building 7-06) that are not oriented to a public street or paseo.
      i. Buildings along both Marshall Road and Superior Drive in particular are not oriented to either street.
   b. Morgan-Ranch is requesting apartments Rowhomes within Block 9 (Lots 17-22) are not oriented to a public street or paseo.
   c. Morgan-Ranch is requesting apartments (including ground-floor units) along the northern elevation of Building 6-01 that are not oriented to a public street or paseo.

3) Residential Typologies
   a. The apartments proposed on Block 6 North and Lot 1, Block 7 by Morgan-Ranch are not compliant with the High Density Attached Flats Residential Typology E.
      i. Morgan-Ranch is requesting apartments with 18 and 26 units per building, where this typology limited buildings to six units.
      ii. Morgan-Ranch is requesting allowance for studios and three-bedroom units to be allowed within this typology.
         1. Neither PD nor Design Guidelines contemplate studio units.
      iii. Morgan-Ranch is requesting allowance for apartment sizes to be both smaller and larger (416 SF-1,162SF) than the range established for this typology (1,250 SF-1,600 SF).
         1. Neither PD or Design Guidelines contemplate residential units less than 900 SF in size.
   b. The apartments proposed on Block 6 South by Morgan-Ranch are not compliant with the Flex Apartment Over Retail Residential Typology A.
      i. Morgan-Ranch is requesting to wrap apartments around structured parking, where the PD and DGs define the structured parking to be located mid-block.
      ii. Morgan-Ranch is requesting apartment units ranging from studios to three bedrooms with floor areas ranging from 419 SF to 1,477 SF. The PD contemplate micro apartments as well as 1- and 2- bedroom units, but establishes as 900-1,100 floor area range.
iii. Morgan-Ranch is requesting allowance to not incorporate projecting balconies from this design. The PD requires a variety of projecting and Juliet balconies.

c. The apartments proposed on Blocks 9-11 are not compliant with the Flex Apartment Over Retail Residential Typology A
   i. Morgan-Ranch is requesting apartment units ranging from studios to three bedrooms with floor areas ranging from 419 SF to 1,477 SF. The PD contemplate micro apartments as well as 1- and 2- bedroom units, but establishes as 900-1,100 floor area range.
   ii. No shared structure parking is proposed for Blocks 9, 10, or 11

d. Rowhomes –
   i. The Rowhome products proposed for Blocks 9-11 do not include required front porches, or well-defined entries, which are intended to help activate the adjacent streets.
   ii. The 109 Rowhome Plan exceeds both the overall floor area allowance 2,050 (SF) as well as the ground (250 SF) and upper floor (1,800 SF) area limits, which the PD established as 1,500-1,800 SF with an additional 250 SF permissible on the ground floor.

4) Building Height
   a. Morgan-Ranch is requesting a height variance Building 6-01, the wrapped parking garage, in order to allow 2,400 SF of massing on the 5th floor to exceed the 65’ height limit established for this block. This portion of the garage would measure 72’ tall.

5) Signage
   a. Morgan-Ranch is requesting the ability to sign some of their apartment buildings (front and side elevations of Layout C).
      i. Neither the PD nor the DGs contemplate wall signage for residential buildings. Planning Area 3 is the only area where residential signage is permitted and signage here is limited to freestanding monument signs at 6’ in height and 40 SF in size.

6) Setbacks
   a. FDP Plan Sheet 2 includes information on both required and proposed setbacks within the Site Data Tables they have provided for each development Block. With the exception of Block 4, every table suggests that a setback variance is required. Some of these exceptions occur along Main Street where the PD affords variation within the 0-10’setback requirement in order to allow for areas of discovery/public spaces. Consequently, many of the perceived setback variances are permitted.

   b. Instances where setback variations are required appear limited to Buildings 6-05, 6-06, and 7-07 where either all of the façade or a portion of façades are not within
the 0-15’ setback allowance from Creek View Way, due to the curvature of the road. Staff is not concerned with any of the proposed setbacks and did not devote any analysis within the above memo to setback compliance. This topic can be discussed through the public hearing process as needed.

7) Promenade Width
   a. Morgan-Ranch is requesting to narrow the width of the Pedestrian Promenade from 45’ required by the PD to 28’. Width will be determined by how this parcel is platted, but details on what can be included amenity-wise within 28’ Promenade width are best illustrated within the site and landscape plans associated within this FDP proposal. Designs reflect that required public amenities, including trees and benches are proposed to be sited within Blocks 6 & 7 (private blocks) vs. the Promenade which is designated for public access.

8) Block length – Blocks 4, 6, 7, 9 and 10 exceed 300 linear feet without midblock connection.
   a. Block length requirement or easement shall be addressed through platting process. However, connectivity illustrated on FDP Plan Sheet 3 needs to be understood in terms of public vs. private access. If illustrated connectivity is required to be public as it has on other Downtown development blocks, easements need to be conditioned on Plat.

Requests for PC Direction:
1) Staff is seeking direction from PC regarding whether parking on Lot 4 should be public and accessible for park users or whether a drop-off area should be incorporated into the design of Block 4.

2) Staff is seeking direction from PC on the proposed Civic Space in general. The Floor Area Exhibits include additional detail on the interior layout proposed for the ~ 7,500 SF of civic floor area.

3) Staff is seeking direction from PC on whether or not the proposed width of the Pedestrian Promenade between Blocks 6 & 7 is adequate, or whether it should be widened to include the associated public amenities.

4) Staff is seeking direction from PC regarding whether general notes regarding signage requirements are sufficient for this proposal, with final details to be provided to and reviewed by staff once a user has been identified.

5) Staff is seeking direction from PC on whether or not consistency or variety is preferred within the Apartment Buildings proposed along the Pedestrian Promenade between Blocks 6 & 7. (Two color schemes are proposed for the Apartments, but only one color scheme is proposed to be used along the Promenade.)

6) Staff is seeking direction from PC on whether the ground floor design of the Morgan-Ranch Apartments within Blocks 6 & 7 are sufficient or require additional elements to both define the entries, distinguish ground floors from upper stories, or otherwise enhance the adjacent
pedestrian realm. Ground floor design elements are currently limited to awnings over shared building entries and at-grade patio enclosures.

7) Staff is seeking direction from PC on whether or not residential wall signage is permissible as a variance on the Morgan-Ranch Layout C apartments, and if so, what size and illumination requirements should apply.

8) Staff is seeking direction from PC on whether or not the apartment buildings within Blocks 6 & 7 include sufficient common outdoor spaces for residents to gather.

9) Staff is seeking PC direction on whether any additional conditions to address the bulleted concerns listed below should be applied for the western and northern building elevations for Building 6-01. (If conditions are not added, variances are required for these building elevations).
   - Provide more distinct first floor level. Ground this large structure with an enhanced building material (brick) in one of the darker blacks or greys already included with this color scheme.
   - Enhance articulation of each wall. Incorporate projecting balconies into design. High Density Residential Flat are to incorporated a mix of projecting and recessed balconies.
     - Confirm depths of balconies provided. DGs require 5 depths.
   - Provide greater vertical separation through material use. No definition currently exists between units. Same material techniques that were used for stand-alone apartments should be incorporated here. When a building increases in size, more architectural elements are needed, not fewer.
   - Enhance/define building entries with canopies, awnings, columns, etc.
   - Add variation to roof lines as required by Section 8.4.A. Enhance roof cap to provide proper terminus for a building of this size.

10) Staff is seeking direction from PC regarding whether either the proposed metal shipping container material, or the proposed brightly colored polycarbonate materials on Block 7, Lot 3 require a variance. The latter is certainly not contemplated in the PD. Metal is, but generally viewed as an accent (not primary) building material.

11) Staff is requesting direction from PC as to whether one color and material scheme is considered sufficient for the 64 Rowhome units proposed on Blocks 9-11, as well as whether porches should be required on front elevations.

As clarified within this memo, the analysis above is not exhaustive. Staff has related required technical corrections to applicant, and revisions are in process. Should any additional exception requests be unavoidable, staff will update the list above prior to the Town Board meeting.
STAFF ANALYSIS OF FINAL DEVELOPMENT PLAN REVIEW
Superior Municipal Code: Final Development Plan
Section 16-10-40 defines Final Development Plan as the plan for development of any area zoned PD, which is approved by the Town in accordance with this Chapter. Section 16-10-40 (b) further defines the approval criteria for Final Development Plans as requiring the following:

1. Prior to approving an FDP, the Planning Commission and the Board of Trustees shall find that the FDP is consistent with the PD plan and all other Town ordinances and regulations.
2. The Board of Trustees, however, may recommend approval of an FDP which has been modified to reflect improvements in design or changes which have occurred in its natural surroundings and environment since the time of the PD plan review and approval.
3. An FDP may be submitted in sections covering representative and reasonable portions of the subdivision tract. In such cases, submission shall include a map indicating the sections designated for the entire tract, and each sheet numbered accordingly, including title, legend, matchlines and other appropriate information. When an entire parcel is not subdivided, the applicant shall indicate his or her intended plans for disposition of the remainder of the parcel.
4. When an ambiguity exists in the application of a PD plan to an FDP, or when a PD plan does not address a development standard, the applicable development standard of this Chapter shall apply to the FDP.

Staff Analysis of Final Development Plan
Staff finds the proposed FDP to be complete and generally consistent with the PD zoning requirements for Downtown Superior, as well as all other Town ordinances and regulations aside from the areas identified above, where the applicant is proposing to deviate from PD or DG requirements. Staff’s memo highlights each of these areas for discussion and acknowledges that additional conditions may be merited based on direction received from PC and the Town Board. Each variation request needs to be viewed as an improvement to the original design.

Because variances to PD requirements are requested, Criterion #2 is relied upon to satisfy Criterion #1. This FDP proposal is comprehensive for Blocks 4, 6, 7, 9, 10, 11, & 12 and does not require a phased or section-by-section FDP submittal; therefore Criterion #3 is not applicable. As the nature of this request can be addressed through criteria 1-3, and does not involve ambiguity that can be resolved by deferring to Chapter 16 of the Town Code, Criterion #4 is also not found to be applicable.
STAFF RECOMMENDATION:
Approve the Resolution for Toll’s Subdivision Plat and Final Development Plan for Blocks 4, 6, 7, 9, 10 & 11, Plaza, Promenade, and surrounding public streets Downtown Superior (Case No. FDP-2019-04, per the conditions outlined below: (A recommendation for approval of the Final Plats needs to be made ahead of the corresponding FDP)

A. Prior to consideration by the Board of Trustees, Applicant shall make technical and redline corrections to plats and FDP plans as identified and related by Town staff.
B. Parking Audits shall be conducted every six months once the Downtown Core reaches 50% occupancy (based on floor area) and continue until 90% occupancy occurs to verify the accuracy of parking generation rates, shared parking reductions and other factors. The cost of these audits shall be borne by the developer.
C. The Applicant shall implement a Travel Demand Management Program based on the 2015 Superior Town Center TDM Plan prepared by UrbanTrans (with any changes approved by staff) to reduce auto travel and parking demand by residents, employees and visitors of Downtown Superior. Additionally, an annual resident and employee travel survey should be conducted to verify alternative mode use. The TDM Program and travel surveys should be initiated before 50% occupancy and continue for five years. The cost of these efforts shall be borne by the developer.
D. The Applicant shall implement a Travel Demand Management Program based on the 2015 Superior Town Center TDM Plan prepared by UrbanTrans (with updates as approved by staff) to reduce auto travel and parking demand by residents, employees and visitors of Downtown Superior. This program is to include an annual resident and employee travel survey to confirm alternative mode use. The TDM Program and travel surveys shall be initiated per Town staff direction once there is 50% occupancy of the project limits of this FDP (based on floor area) and continue for five years.
E. The Final Plat shall be recorded prior to the recording of the FDP.

ATTACHMENTS:
- Resolution
- FDP Narrative
- FDP Plan Sheet Submittal
- Exhibit – Floor Area Plans
- Exhibit – Rooftop Pool Deck
- Exhibit – Pedestrian Promenade
- Referral from Better City on Live/Work Request
- Applicant PC Presentation