



MEMORANDUM

AGENDA ITEM #5b)2

DATE: MARCH 2, 2009
TO: COUNCIL MEMBERS
FROM: STAFF
SUBJECT: METROPICA DRI - DEVELOPMENT ORDER, CITY OF SUNRISE

Date of Ordinance: February 10, 2009
Date of Transmittal: February 20, 2009
Expiration of Council's Option to Recommend Appeal: April 6, 2009

Background

On November 3, 2008, the Council reviewed and approved, subject to certain conditions and recommendations enumerated in the Regional Impact Assessment Report, the substantial deviation to the approved Development Order (D.O.) for the Metropica (formerly part of the Amerifirst Tract) Development of Regional Impact (DRI) application submitted by Sawgrass Property Investments. Subsequently, the City of Sunrise adopted the D.O. (Ordinance No. 732-X-09-B) and transmitted same to the Council (Attachment 1). Chapter 380.07(2), Fla. Stat., provides that the Council may, within 45 days, recommend that the Florida Department of Community Affairs appeal a D.O. if it is found to be inconsistent with the statute.

Proposed Development

The proposed Metropica DRI is located on a 103.4 acre parcel at the northeast and northwest corners of Sunrise Boulevard and NW 136th Avenue in the City of Sunrise. The applicant is proposing to construct a new single-phased, mixed-use project, including Class A office buildings with structured parking, full-service restaurants, retail, and high-rise and townhouse residential dwelling units with a buildout date of December 29, 2018.

The existing Amerifirst Tract DRI D.O. would bifurcate at Sunrise Boulevard, creating Metropica DRI on the unbuilt portion of the site north of Sunrise Boulevard and on 16 acres to the west of NW 136th Avenue to be added to the DRI. This would leave the remainder of the Amerifirst Tract DRI to the south. A portion of the subject site is currently approved for Residential, Office, and Commercial uses. The majority of the site consists of 92 acres of vacant land. In the southeastern portion, there are approximately 11 acres of existing Commercial, previously developed by other owners, which will remain.

Concurrently with the DRI, the applicant submitted land use plan amendments to the City of Sunrise Comprehensive Plan and the Broward County Land Use Plan. These amendments would change the land use designation of the 92-acre Metropica DRI to Transit Oriented Development (TOD), requiring both a text and map amendment.

The City of Sunrise and Broward County have submitted these adopted amendments to the South Florida Regional Planning Council for concurrent review with the DRI; they are also being considered on today's agenda.

The proposed flexibility matrix would allow the applicant the ability to decrease residential units and increase or decrease commercial and general office use from the proposed thresholds:

Residential	2,500 high-rise dwelling units 300 townhouse dwelling units
Commercial	545,240 gross square feet (including 60,240 sq. ft. previously constructed)
Office	785,000 gross square feet

PROPOSED FLEXIBILITY MATRIX

Minimum and Maximum Thresholds			
	Proposed Minimum Thresholds	Proposed Maximum Thresholds	Proposed DRI Development
Residential	2,100 units	2,800 units	2,800 units
Commercial	410,000 s.f.	680,000 s.f.	545,240 s.f.
Office	590,000 s.f.	980,000 s.f.	785,000 s.f.

Evaluation

Council staff has reviewed the D.O. relative to the Council's November 3, 2008 Regional Impact Assessment Report and the requirements of Chapter 380, Fla. Stat. The D.O. incorporates the Council's recommendations either verbatim or in substance. The following subsection was added to the Transportation section of the Development Order:

3.8.6 Additionally, prior to the issuance of any building permits for Metropica, the Developer shall contribute, in lieu of any intersection monitoring, the sum of \$25,000 to the City of Sunrise which shall request and pay Broward County to install video detection at the intersection of Sunrise Boulevard and Flamingo Road, or an alternate project deemed appropriate by the City of Sunrise and Broward County, in full and complete satisfaction of any traffic impacts resulting from the extension of the build-out date for the Amerifirst Tract DRI approved pursuant to Ordinance 732-X-04-A.

The Council reiterated its concerns about the cumulative impacts on affordable housing and transportation because of the multiple developments that are in progress or proposed for this area of the City of Sunrise. As a result, Council staff has been convening meetings to enhance the intergovernmental coordination of transportation improvements, and is working with the relevant agencies to conduct a comprehensive traffic study for this western "Urban Hub" so that current and future transportation impacts will be properly mitigated.

Moreover, the Affordable Housing section of the D.O. has been revised according to Council conditions and recommendations. Specifically, any and all exemptions with respect to the applicant to which Condition 3.11 had previously referred have been removed. In addition, this condition now reads in pertinent part:

3.11 Affordable Housing. The Developer shall pay to the City, for use in its affordable housing programs, the amount of *at least* \$500 per dwelling unit, *indexed annually to the Consumer Price Index (CPI) for all urban consumers (U.S. City average)*.... In the event that the City Commission adopts an affordable housing linkage fee ordinance, the affordable housing linkage fees shall apply to all development permitted by this Development Order *in accordance with the terms of that ordinance*. ... *The applicant*

shall be responsible for any difference that may result between the \$500 per-unit fee paid at permit issuance and any required linkage fee adopted subsequent to the issuance of the permit. (emphasis added)

Finally, in a letter dated November 20, 2008, the City of Sunrise conveyed that through its Evaluation and Appraisal Report (EAR)-based amendment process, the provision of safe, affordable, and quality housing for existing and future residents will be ensured; a diverse housing stock that is affordable to households with very-low, low- and moderate-incomes will be maintained; and intergovernmental coordination with the SFRPC to address regional housing issues will be improved.

In summary, evaluation of the Development Order indicates that:

1. The Development Order incorporates the Council's approved Regional Impact Assessment Report conditions and recommendations either verbatim or in substance.
2. The Development Order requirements specified in Chapter 380.06, Fla. Stat., and Rule 9J-2.025, Fla. Admin. Code, have been met.

Recommendation

Find the Metropica DRI adopted Development Order consistent with the Council's conditions and recommendations as contained in the November 3, 2008 Development of Regional Impact Assessment Report for the Metropica DRI. Approve this report for transmittal to the Florida Department of Community Affairs.

Council Action

At its March 2, 2009 meeting, the Council found the City of Sunrise adopted Development Order (Ordinance No. 732-X-09-B) generally consistent with the *Strategic Regional Policy Plan for South Florida* and does not recommend appealing this Development Order.

The Council, by the same motion, approved the transmittal of this attached staff report to the Florida Department of Community Affairs.

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CITY CLERK
CITY OF SUNRISE

09 FEB 13 PM 12:35

SUNRISE, FLORIDA

ORDINANCE NO. 732-X-09-B

CERTIFICATION	
I CERTIFY THIS TO BE A TRUE CORRECT COPY OF THE ORIGINAL DOCUMENT ON FILE AT CITY HALL. WITNESS MY HAND AND OFFICIAL SEAL OF THE CITY OF SUNRISE THIS	
DAY	February 13 th 2009
MERYL GIRARD, CMC ASSISTANT CITY CLERK	

AN ORDINANCE OF THE CITY OF SUNRISE, FLORIDA, APPROVING A REQUEST FOR SUBSTANTIAL DEVIATION TO THE AMERIFIRST TRACT DEVELOPMENT OF REGIONAL IMPACT (AMERIFIRST DRI) DEVELOPMENT ORDER AND ADOPTING A SEPARATE DRI DEVELOPMENT ORDER FOR THE "AMERIFIRST-METROPICA DRI," TO BE LOCATED UPON THE BIFURCATED PORTION OF THE AMERIFIRST DRI ALONG WITH SOME ADDITIONAL LAND WEST OF N.W. 136TH AVENUE, ALL AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A;" PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR BIENNIAL REPORTS; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Sunrise, Florida ("City") initially approved the development order for the Amerifirst Tract Development of Regional Impact ("DRI") by Ordinance No. 732-X, dated May 26, 1987; and

WHEREAS, the City amended the development order for the Amerifirst Tract Development of Regional Impact by Ordinance No. 732-X-A, dated May 14, 1991; by Ordinance No. 732-X-96-A dated November 26, 1996; by Ordinance No. 732-X-98-A dated October 12, 1998; by Ordinance No. 732-X-99-A dated August 24, 1999; by Ordinance No. 732-X-00-A dated June 13, 2000; by Ordinance No. 732-X-01-A dated May

8, 2001; by Ordinance No. 732-X-01-B dated August 28, 2001; by Ordinance No. 732-X-01-C dated October 9, 2001; by Ordinance No. 732-X-02-A dated November 12, 2002; and by Ordinance No. 732-X-04-A dated April 23, 2004; and

WHEREAS, Ordinance Nos. 732-X, 732-X-A, 732-X-96-A, 732-X-98-A, 732 X-99-A, 732-X-00-A, 732-X-01-A, 732-X-01-B, 732-X-01-C, 732-X-02-A and 732-X-04-A, are hereafter referred to collectively as the "Existing Development Order"; and

WHEREAS, Sawgrass Property Investments, one of the owners of the lands more particularly described in Exhibit "A" ("Metropica Lands"), applied for an amendment to the previously approved Amerifirst DRI and for bifurcation, pursuant to the provisions of Section 380.06(19), Florida Statutes; and

WHEREAS, the proposed change to the previously approved Amerifirst DRI and the creation of the Amerifirst Metropica DRI constitutes a substantial deviation pursuant to the provisions of Section 380.06(19), Florida Statutes; and

WHEREAS, Ordinance No.732-X-09-A is being concurrently considered with this Ordinance, in order to sever and bifurcate that portion of the Metropica Lands, as defined

therein, which are within the previously approved Amerifirst DRI and to amend the existing development order for the Amerifirst DRI and establish a new DRI development order for the Metropica Lands; and

WHEREAS, pursuant to Section 380.06, Florida Statutes, the South Florida Regional Planning Council reviewed the proposed amendments to the Development Order on November 3, 2008, and found the Regional Impact Assessment generally consistent with the Strategic Regional Policy Plan for South Florida subject to certain conditions and recommendations, and adopted the staff recommendation with amendments; and

WHEREAS, the City of Sunrise Planning and Zoning Board considered the proposed amendment to the previously approved Development Order and approved the creation of the Amerifirst Metropica DRI at its December 4, 2008 meeting; and

WHEREAS, the City Commission has held a public hearing pursuant to Section 380.06, Florida Statutes, to consider the proposed change to the previously approved Amerifirst DRI and the creation of the Amerifirst Metropica DRI.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA:

Section 1. The foregoing Whereas clauses are true and correct and are hereby ratified and confirmed by the City Commission.

Section 2. Findings of Fact and Conclusions of Law.

In accordance with Section 380.06(15), Florida Statutes, the City makes the following findings of fact and conclusions of law:

1. The development is not located within an Area of Critical State Concern.

2. The Development Order is consistent with the State Comprehensive Plan, Chapter 187, Florida Statutes.

3. The Development Order is consistent with the Broward County Comprehensive Plan, the City's Comprehensive Plan, and the City's land development regulations.

4. The Development Order is consistent with the report and recommendations of the South Florida Regional Planning Council.

Section 3. Approval of Development Order.

1. APPROVAL OF THE APPLICATION FOR DEVELOPMENT APPROVAL

1.1 The Application for Development Approval for the creation of the Amerifirst Metropica DRI ("Metropica") more particularly described in Exhibit "A" (legal

description), is hereby approved subject to the conditions contained herein.

1.2 The Metropica development shall be constructed in accordance with Exhibit "B" (DRI Master Development Plan), which conceptually depicts the location of the land use areas and roadways within the development, the exact location and size of which will be determined during the zoning, site-plan, and environmental permitting and licensing processes.

1.3 Permitted Development: The Metropica DRI is approved for the following uses:

Residential	2,500 high rise dwelling units
	300 townhouse dwelling units
Commercial	545,240 gross square feet
	(including 60,240 sq. ft. previously constructed)
Office	785,000 gross square feet

(a) The actual mix of building square footage (or dwelling units as applicable) among the Permitted Uses will be determined during the City's zoning and site plan review process consistent with the requirements of the City's Land Development Code so long as the total external P.M. Peak Hour vehicle

trips do not exceed 3,848 gross P.M. Peak Hour trips and 2,699 net P.M. Peak Hour external trips (per Tables 21-6 and 21-9, respectively, in the ADA) as calculated using the trip generation rates in Exhibit C.

(b) As shown in the following flexibility matrix, the Developer proposes to have the flexibility to decrease residential units and increase or decrease commercial and general office use from the proposed development thresholds, subject to condition 1.3(a) above.

Flexibility Matrix - Minimum and Maximum Thresholds			
	Proposed Minimum Thresholds	Proposed Maximum Thresholds	Proposed DRI Development
Residential	2,100 units	2,800 units	2,800 units
Commercial	410,000 s.f.	680,000 s.f.	545,240 s.f.
Office	590,000 s.f.	980,000 s.f.	785,000 s.f.

2. SEQUENCE OF DEVELOPMENT

2.1 Land Use Required: The Developer shall obtain the Transit Oriented Development land use designation in the City of Sunrise Comprehensive Land Use Plan and in the Broward County Land Use Plan prior to issuance of the Development Order.

2.2 Compliance with Other Laws: The requirements of this Development Order shall be construed as supplemental to all other applicable land development regulations. Where a conflict exists between the requirements of this Development Order and other applicable land development regulations the most restrictive provisions shall apply. No development agreement, however, shall supersede this Development Order.

2.3 Plat Notes and Amendments: The Developer shall record an agreement to place or amend a note on the face of the recorded Savannah P.U.D. Plat 6, the Metropica Phase 1 Plat, the Lakefront Plat Replat or any other plat to be approved, consistent with the level of development shown in condition 1.3 above, prior to receiving Broward County Development and Environmental Regulation Division approval of construction plans for any new development. The approved master development plan pursuant to City Code shall be consistent with all underlying Broward County approved plat conditions.

2.4 Phasing: Construction within the Metropica project shall proceed in a single phase.

2.5 Buildout and Termination Dates: The buildout and termination dates for the Development shall be December 29, 2018, the date until which the City of Sunrise agrees that this DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless it can demonstrate that substantial changes made by the Developer in the facts or circumstances underlying the approval of this Development Order have occurred, or that, this DRI Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly essential to the public health, safety or welfare.

2.6 Three Year Requirement: This Development Order shall be null and void if, within three (3) years of the issuance of this Development Order, the following are not completed: the securing of all permits from the Broward County Environmental Protection and Growth Management Department (EPGMD) to modify the previously permitted master drainage system which are required in order to proceed with the Metropica development. This requirement may be extended by the City of Sunrise, after review and approval by the City Commission at a public hearing.

3. CONDITIONS OF DEVELOPMENT

3.1 Landscaping Requirements: The Developer shall remove all exotic vegetation from the site and landscape in accordance with the Broward County's Naturescape program principles, and landscape best management practices as well as use on-site retention techniques.

3.2 Water Quality, Irrigation, and Water Supply:

3.2.1 The Developer shall stabilize, by means of spraying, mulching, or grassing, all excavated material stockpiled on the project site during construction to prevent wind and water erosion and to mitigate "nonpoint" source water pollution.

3.2.2 The Developer shall control lake bank erosion by sodding to the waters edge and constructing a shallow berm around the lakes, to prevent direct runoff from adjacent lands. Planting of native littoral vegetation shall be encouraged.

3.2.3 The Developer shall institute a regularly scheduled sweeping program for all impervious surfaces within the development in order to reduce pollutant accumulations. This program shall provide for the sweeping of all impervious surfaces at least once a week.

3.2.4 The Developer shall incorporate an oil and grease collection system to serve all parking lot drainage structures.

3.2.5 The Developer shall irrigate only with nonpotable water obtained from shallow wells and/or detention/retention areas. The Developer shall use water conserving techniques, including the installation of rain sensors on irrigation timers, and comply with restrictions on irrigation timing as required by law.

3.2.6 The Developer shall obtain a Water Use Permit from the South Florida Water Management District (SFWMD) for the proposed surface water withdrawals for landscape irrigation.

3.2.7 The City shall establish a program for the monitoring of water quality and water quantity as required by the South Florida Water Management District consumptive use permit.

3.2.8 The Developer shall incorporate the use of water sensors, ultra-low volume water use plumbing fixtures, self-closing and/or metered water faucets, xeriscape landscape techniques and other water conserving devices/methods, including gray water if available, to

reduce the demand on the region's potable water supply. These devices and methods shall meet the criteria outlined in the water conservation plan of the public water supply permit issued to the City of Sunrise by the SFWMD.

3.2.9 A Certificate of Occupancy for development within the Metropica DRI shall not be issued unless the Developer demonstrates that the City of Sunrise has an adequate permitted allocation of potable water and adequate potable water treatment and delivery facilities to meet the needs of the development for which a Certificate of Occupancy is requested.

3.3 Wetland Resources:

3.3.1 The Developer acknowledges that there are existing wetlands on site, some of which are subject to a conservation easement, and that it must comply with all applicable wetlands permitting requirements in order to develop the site.

3.4 Hazardous Waste:

3.4.1 The Developer shall prohibit the generation of hazardous effluents and permit monitoring by the applicable governmental agencies to ensure compliance with this section.

3.4.2 The Developer shall require that hazardous sludge materials that may be generated by effluent pre-treatment are disposed of in a manner approved and monitored by the applicable regulatory agency or agencies.

3.4.3 The Metropica DRI is not anticipated to include laboratories or other uses which would have a significant hazardous materials generation/usage impact as defined in Rule 9J-2.044(2)(f) and (5)(a), Florida Administrative Code. However, in the event that hazardous material usage on any project within Metropica will have a significant hazardous materials generation/usage impact, then, prior to issuance of a Certificate of Occupancy for any such use, the Owner(s) and/or Developer of the project generating such use, to the extent necessary and appropriate, after consultation with any leaseholders, shall submit a Hazardous Materials Management Plan for review and approval by the City of Sunrise, the Broward County EPGMD, the FDEP, and the SFRPC, which conforms with the requirements of Rule 9J2.044(5)(b)2, Florida Administrative Code. A copy of the approved plan shall be provided to the City of Sunrise Fire Department. The Hazardous Materials Management Plan shall be incorporated into any lease for such project and by sales agreement,

restrictive covenant or other appropriate legally binding enforcement provision when any of the property on which such project is located is conveyed.

3.5 Air Quality:

3.5.1 Prior to initiating construction or modification of a parking facility, as described below, the Developer shall meet with EPGMD and the FDEP to establish parameters for a Carbon Monoxide Air Quality Analysis. This analysis will address worst case concentrations for build out while incorporating the methodology of the latest FDEP guidelines. All Level of Service (LOS) "E" or "F" intersections impacted by 5% or more project traffic and surface parking areas with 1,500 vehicle trips per hour or parking garages with 750 vehicle trips per hour shall be considered for the analysis.

3.5.2 Broward County Ordinance Sec. 27-176, requires that prior to construction of a new parking facility or modification of an existing one, the Developer shall submit a parking facility license application, prepare an air quality impact study and obtain a parking facility license if the number of parking spaces for the entire DRI is greater than or equal to 1,500 surface parking spaces; or 750 multilevel parking spaces; or a

combined 1,000 surface and multilevel parking spaces. The Developer shall submit the Carbon Monoxide Air Quality Analysis and Parking Facility license, based upon the agreed methodology, to EPGMD, the FDEP and SFRPC for their review and approval. The analysis shall demonstrate that the National Ambient Air Quality Standards for Carbon Monoxide will not be violated as a result of this project and if necessary, shall include corrective mitigation measures for which the Developer shall be responsible.

3.6 Archaeological Sites:

3.6.1 The Developer shall have a cultural resource assessment survey conducted by a professional consultant prior to commencement of development. The resultant survey shall conform to the specifications set forth in Chapter 1A-46, Florida Administrative Code, and will need to be forwarded to the Florida Department of State, Division of Historical Resources (DHR) in order to complete the reviewing process for this proposed project and its impacts. The results of the analysis will determine if significant cultural resources would be disturbed by this development. If significant remains are located, the data described in the report and the consultant's conclusions will assist DHR in determining measures that must be taken

to avoid, minimize, or mitigate adverse impacts to archaeological sites or historical properties listed, or eligible for listing in the National Register of Historic Places, or otherwise significant. If any undiscovered prehistoric or historic resources, including pottery or ceramics, stone tools or metal implements, or other physical remains that could be associated with Native American, or early Colonial American settlements are encountered at any time during construction in the project site, the project shall cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The Developer shall contact the Florida Department of State, Division of Historical Resources as well as the City of Sunrise. Project activities shall not resume without authorization from the Division of Historic Resources. In the event that unmarked human remains are encountered during the permitted activities, all work shall stop immediately and the proper authorities shall be notified in accordance with Section 872.05, Florida Statutes.

3.6.2 If applicable, verification of license issuance related to the archaeological work shall be

provided by the Developer to the City of Sunrise before a Certificate of Occupancy is issued.

3.7 Mass Transit and Alternate Modes of Transportation:

3.7.1 The Developer shall prepare and execute a Commute Trip Reduction Plan with the City of Sunrise based on Transportation Demand Management (TDM) best practices, and receive approval from the City of Sunrise no later than approval of the master development plan pursuant to City Code. The Commute Trip Reduction Plan shall be prepared in coordination with the FDOT Commuter Assistance Program. This plan shall include at a minimum:

(a) Guidelines for locations of kiosks that enable the posting of TDM program information in locations within the development which are readily visible to employees, commuters and residents.

(b) Identification of reserved High Occupancy Vehicle (HOV) (e.g., carpools and van pools) parking spaces with identifiable signage. At a minimum, two percent of the total number of parking spaces for office or retail use should be reserved for HOV parking. The preferred location for these parking

spaces is near building entrances, and may also consist of covered or sheltered parking spaces.

(c) Formal designation of an individual as the Employee Transportation Coordinator (ETC) for the purpose of developing, implementing, and administering a TDM (Commute Trip Reduction) program at the development.

(d) A commitment by the Developer to a protocol to introduce new owners or property management to the Commute Trip Reduction Plan and the Commuter Assistance Program upon sale or lease of properties within the development.

(e) Specific milestones for implementation of the components of the Commute Trip Reduction Plan and for development of all transit-related improvements shown on the plats.

(f) Each bus stop shown on the master development plan approved pursuant to City Code for the development shall be completed no later than the time that the Developer obtains a Certificate of Occupancy for a new principal structure located within one-

quarter ($\frac{1}{4}$) mile of a bus stop as shown on that master development plan.

(g) Other transit amenities as required herein.

(h) Procedures for monitoring and implementing of the Commute Trip Reduction Plan.

3.7.2 The Developer shall coordinate with Broward County, Florida Department of Transportation and the City of Sunrise to implement transit use, carpooling, van pooling, and improved transit routes serving the development. Prior to the issuance of the first Certificate of Occupancy for a new principal structure, the Developer shall fund, construct, or cause the construction of the following amenities to service the area of development, pursuant to the Commute Trip Reduction Plan:

(a) Rideshare and transit information for residents, tenants, and employees;

(b) Covered bus shelters at each of the bus stop locations shown on the master development plan approved pursuant to City Code within one-quarter ($\frac{1}{4}$) mile of a principal structure, designed to be architecturally compatible with the development;

(c) Kiosks with bus system maps, route maps, schedules and fare information;

(d) Bicycle racks and storage facilities; and

(e) The Developer shall provide, design, locate, and construct pedestrian and bicycle facilities to maximize transportation access on-site and connectivity with adjacent facilities, including on-site bicycle storage facilities to encourage the use of alternative modes of transportation.

3.7.3 Prior to the issuance of a building permit for the first new principal structure, the Developer shall enter into an Agreement with the City of Sunrise to develop an ADA-compliant alternative fuel shuttle service that will provide regular service between Metropica and Westerra, and other nearby points of interest. The shuttle shall be coordinated with Broward County and Florida Department of Transportation's Commuter Assistance Program. The agreement shall stipulate routes, hours of service and headways in order to calculate the total cost and the Developer's share. Prior to issuance of a Certificate of Occupancy for the first new principal structure, the Developer shall fund its share of the implementation of the shuttle service. The City shall

encourage participation in the shuttle service by other developers in the area. The City shall require participation in the shuttle service program, per the terms of the Agreement, for area developers of properties seeking new or amended entitlements from the City if the City determines that, based on the location, size, and use mixture of the proposed development, the project will be benefited by the shuttle and participation in the program is feasible. The service area of the shuttle and frequency of service shall increase in accordance with the addition of other participants to the Agreement.

3.7.4 Within two (2) years after the issuance of a Certificate of Occupancy for the first new principal structure, the Developer shall construct a covered, lighted transit station with a covered waiting area for patrons, architecturally compatible with the development, on the north and south sides of Green Toad Road or another suitable location subject to approval by the City and Broward County. The transit station shall be of a size that can accommodate two (2) articulated buses at the same time on each side of Green Toad Road or, within the same sized area, some other combination of buses of various sizes as designed in consultation with the City and the

County. The transit station shall include either within the transit station, or in a nearby structure, restrooms, seating, schedule information, fare information, leaning rails, trash receptacles storage, security, showers and bicycle racks. The transit station shall also include a drop-off and pick-up area to be utilized by the general public, taxi service, or other forms of vehicular transportation serving transit riders.

3.7.5 Prior to issuance of the first building permit for a new principal structure, the City shall ensure a parking maximum is established and not exceeded, for the purpose of increasing the mode split to the site and providing a meaningful incentive to increase transit ridership.

3.8 Transportation:

3.8.1 Prior to the issuance of a Certificate of Occupancy for a new principal structure, the Developer shall fund, construct or cause the construction of, as applicable, the improvements outlined in Exhibit D.

3.8.2 Prior to the issuance of a Certificate of Occupancy for land uses generating more than 1,271 net new external P.M. Peak Hour trips, as calculated using the trip generation rates shown in Exhibit C, the Developer

shall pay Broward County the sum of \$558,000 for partial funding of the Signal Upgrade Package, as shown in Exhibit D.

3.8.3 Included in the first Biennial Status Report, and in every subsequent Biennial Status Report through buildout or until construction of the signal, the Developer shall monitor the intersection of Green Toad Road and NW 136th Avenue in accordance with the criteria published in the Manual on Uniform Traffic Control Devices. Should signalization be deemed warranted by this analysis, and subject to approval by Broward County Traffic Engineering, the Developer shall fund the design and installation of a traffic signal at the intersection of Green Toad Road and NW 136th Avenue.

3.8.4 Primary project vehicle access points to the off-site roadway network will be at locations shown in Exhibit E. The number, locations and configurations of project driveways may be adjusted upon review and approval by the appropriate review agencies with jurisdiction over same.

3.8.5 The Developer shall satisfy the regional Transportation Concurrency requirements of Broward County in accordance with Policy 3.4.23 of the Transportation

Element of the Broward County Comprehensive Plan prior to receiving Broward County Development and Environmental Regulation Division approval of construction plans for any new development.

3.8.6 Additionally, prior to the issuance of any building permits for Metropica, the Developer shall contribute, in lieu of any intersection monitoring, the sum of \$25,000 to the City of Sunrise which shall request and pay Broward County to install video detection at the intersection of Sunrise Boulevard and Flamingo Road, or an alternate project deemed appropriate by the City of Sunrise and Broward County, in full and complete satisfaction of any traffic impacts resulting from the extension of the build-out date for the Amerifirst Tract DRI approved pursuant to Ordinance 732-X-04-A.

3.9 Energy Conservation:

3.9.1 The Developer shall make use of passive energy conservation measures including proper building orientation; landscape shading of buildings and pedestrian areas; and reflective wall and roof surfaces for non-air-conditioned container storage areas. The Developer shall incorporate Leadership in Energy and Environmental Design

(LEED) standards into its design and construction of all buildings.

3.9.2 The Developer shall encourage the use of efficient, low emission vehicles for on-site services, including parking enforcement, maintenance and security services, with specific consideration of alternative fuel vehicles.

3.10 Police, Fire and Emergency Medical Facilities:

3.10.1 Prior to the issuance of the first Certificate of Occupancy for a new principal building, the Developer shall develop an Emergency Management Plan identifying how residents, visitors, and employees will be protected and evacuated, if necessary, in an imminent catastrophic event and show how emergency vehicles will access the site under the various incidents. The Emergency Management Plan shall be updated as needed and shall be approved by the City of Sunrise Fire Department.

3.10.2 The Developer shall make a one-time contribution for the capital needs of Police Services of \$380,000. This contribution shall be paid in three equal parts: the first shall be paid at the time of issuance of the approval of the master development plan pursuant to City Code for the development; the second shall be paid at

the time of issuance of the building permit for the first new principal structure; and the third shall be paid at the time of issuance of the Certificate of Occupancy for the first new principal structure.

3.11 Affordable Housing: The Developer shall pay to the City, for use in its affordable housing programs, the amount of at least \$500 per dwelling unit, indexed annually to the Consumer Price Index (CPI) for all urban consumers (U.S. City average), no later than the time of issuance of a building permit for the dwelling unit. Based on the 2,800 permitted dwelling units, the total amount required to be paid to the City would be \$1,400,000 if all units permitted by the Development Order are constructed. The City is considering the imposition of affordable housing linkage fees to fund these programs. In the event that the City Commission adopts an affordable housing linkage fee ordinance, the affordable housing linkage fees shall apply to all development permitted by this Development Order in accordance with the terms of that ordinance. For the market-rate residential dwelling units permitted by this Development Order, the \$500 per-dwelling-unit contribution described in this condition shall serve as a credit against any required linkage fee

contribution. The applicant shall be responsible for any difference that may result between the \$500 per-unit fee paid at permit issuance and any required linkage fee adopted subsequent to the issuance of the permit. Prior to master development plan approval, the City may require the Developer to incorporate some on-site or off-site affordable housing, or some combination thereof, in conjunction with the project. If the City elects to require affordable housing units, then the City shall require the Developer to complete construction of these affordable housing units in the following manner: prior to the issuance of a building permit for more than 1,800 market rate units, the Developer shall complete construction of up to 270 affordable housing units; if the City requires any additional affordable housing units then the Developer shall complete construction of such units prior to the issuance of a building permit for more than 2,300 market rate units. In no event shall the City require the Developer to build any more affordable housing units, whether on-site, off-site or a combination thereof, than a total of 15% of the total number of residential units shown on the master development plan. If the City requires the Developer to provide affordable housing

units, on site or off site, or any combination thereof, in a number equal to 15% of the total number of residential units shown on the master development plan, then the City shall not collect the \$500 fee on any market rate units and such fees, if any, previously paid shall be refunded. If a lesser number of affordable housing units are provided on-site or off-site, the Developer shall not be required to provide the \$500 payment for those affordable units.

3.12 Public Schools: The Developer shall submit residential site plan applications to the School Board of Broward County to determine if the development proposed meets Public School Concurrency (PSC) requirements. Until such determination is made, a commitment to pay school impact fees will not vest the project from PSC requirements.

3.13 Economic Development: The Developer shall use economic development enhancement resource agencies and programs designed to involve small and minority businesses in the development and expansion of permanent job opportunities within the project. The Developer shall attempt to access the range of job skills available in the region and promote greater labor force enhancement. At a

minimum, the Developer is encouraged to provide potential commercial tenants with information about employment and training agencies that maintain a database of trained/skilled workers to consider in meeting the project's employment needs. This information shall be biennially updated and submitted as a part of the Biennial Status Report.

3.14 Consolidation of Application for Development Approval (CADA):

3.14.1 Within thirty (30) days from the effective date of this Development Order, the Developer shall consolidate all original and supplemental information submitted to the South Florida Regional Planning Council into a CADA, and submit one paper copy and one copy of the document in digital CD-ROM format to the Council, the City, Broward County Metropolitan Planning Organization Division, Broward County Development and Environmental Regulation Division, Florida Department of Transportation (District IV) and the State Land Planning Agency.

3.14.2 The CADA shall be prepared as follows:

- (a) Where new, clarified or revised information was prepared subsequent to submittal of the ADA dated August 9, 2007 but prior to issuance of the

Development Order, whether in response to a formal statement of information needed or otherwise, the original pages of the ADA will be replaced with revised pages.

(b) Revised pages shall be marked "Page Number (R) - Date" with "Page Number" being the number of the original page, "(R)" indicating that the page was revised, and "Date" stating the date of the revision.

4. GENERAL REQUIREMENTS:

4.1 Incorporation of ADA: Pursuant to Rule 9J-2.025(3)(b)9, Florida Administrative Code, the Application for Development Approval is incorporated herein by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, Florida Statutes, and local ordinances. Substantial compliance with the representations contained in the Application for Development Approval unless modified by Development Order conditions is a condition for approval.

4.2 Biennial Status Report: As required in Section 380.06(15), Florida Statutes, the Developer shall submit a biennial status report to the City, the South Florida Regional Planning Council, Florida Department of Transportation (District IV) and the State Land Planning

Agency. This report shall be submitted on the biennial anniversary of the issuance of this Development Order and shall contain all information pertinent to the progress of the development and comments on the compliance with each of the conditions and requirements of this Development Order. Each required biennial report shall include the results of the intersection monitoring required by Condition 3.8.3 and a current calculation of total external P.M. peak hour trips generated by the development as calculated using the trip generation rates in Exhibit C.

4.3 Monitoring Official: The Director of Planning and Development is hereby designated as the City official responsible for the monitoring of the project's compliance with this Development Order. The City shall make inspections as the Director deems necessary to determine compliance.

4.4 Obligations of Future Interest Holders: Any person acquiring interest in or to all or part of any lands described in Exhibit "A" attached hereto shall be deemed to have assumed all of the obligations imposed on such land by this Development Order and subsequent applicable Development Orders.

4.5 Transmittal to the SFRPC, the Department of Community Affairs (DCA) and the Developer: Within thirty (30) days after the adoption of this Development Order, a certified copy of this Development Order with all exhibits shall be sent by the City of Sunrise via first class certified U.S. Mail, to the SFRPC, the Department of Community Affairs, and the Developer.

4.6 Recording: Within thirty (30) days after the effective date of this Development Order, the Developer shall record notice of the adoption of this Development Order together with the Development Order, with the Clerk of the Circuit Court of the Seventeenth Judicial Circuit, in and for Broward County, Florida in accordance with Sections 28.222 and 380.06(15)(f), Florida Statutes. This notice shall specify that this Development Order runs with the land and is binding upon the Developer, its agents, successors, grantees and assigns, jointly and severally. The Developer shall provide a copy of the recorded notice to the City of Sunrise, the SFRPC, and the Department of Community Affairs.

Section 4. Conflict. All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in

conflicts with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Severability. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 6. Recordation. The Developer shall, within thirty (30) days of the effective date of this amendment to the Development Order, record a notice of adoption of the amendments to the Development Order as provided in Sections 28.222 and 380.06(15)(f), Florida Statutes, and provide the City, the SFRPC, and the DCA with a copy of same, in accordance with Condition 4.6 herein.

Section 7. Effective date. The effective date of this Development Order shall be forty-five (45) days from the transmittal of the Development Order to the DCA, the SFRPC, the County and the Developer; provided, however, that if the Development Order is appealed, the effectiveness of the Development Order shall be stayed until after all appeals have been withdrawn or finally resolved pursuant to section 380.07(2), Florida Statutes.

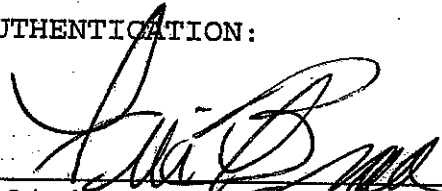
PASSED AND ADOPTED upon this first reading 13th day of
JANUARY, 2009.

PASSED AND ADOPTED upon this second reading this 10TH
day of FEBRUARY, 2009.



Mayor Robert S. Wishner

AUTHENTICATION:



Felicia Bravo
City Clerk

FIRST READING

SECOND READING

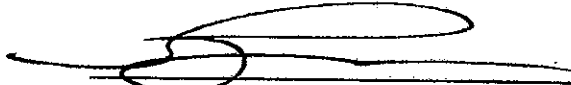
MOTION: ALU
SECOND: SCUOTTO

ALU: YEA
ROSEN: YEA
SCUOTTO: YEA
WISHNER: ABSENT

MOTION: ROSEN
SECOND: SCUOTTO

ALU: YEA
ROSEN: YEA
SCUOTTO: YEA
WISHNER: YEA

Approved by the City Attorney
As to Form and Legal Sufficiency



Stuart R. Michelson

EXHIBIT A - LEGAL DESCRIPTION

LEGAL DESCRIPTION: (PARCELS "A", "B" AND "C")

ALL OF PARCEL "A", METROPICA PHASE 1 PLAT, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 175, PAGES 115-116 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

A PARCEL OF LAND BEING A PORTION OF PARCELS A AND D, SAVANNAH P.U.D. PLAT 6, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 145, PAGE 24 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF PARCEL "A", METROPICA PHASE 1 PLAT, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 175, PAGES 115-116 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF ACCESS TRACT J, ACCORDING TO THE PLAT THEREOF, SAWGRASS MILLS, PLAT BOOK 137, PAGE 13, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, (ALSO KNOWN AS SAWGRASS MILLS CIRCLE) ;

THENCE N.81°47'15"W., A DISTANCE OF 493.96 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHEAST;

THENCE WEST AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, HAVING A CENTRAL ANGLE OF 43°21'27" AND A RADIUS OF 150.00 FEET FOR AN ARC DISTANCE OF 113.51 TO A POINT OF REVERSE CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST;

THENCE NORTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 47°18'01" AND A RADIUS OF 150.00 FEET FOR AN ARC DISTANCE OF 123.83 FEET TO A POINT OF TANGENCY;

THENCE N.85°43'49"W., A DISTANCE OF 156.46 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE EAST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF N.80°13'19"W. SAID POINT ALSO BEING ON THE WEST LINE OF SAID PARCEL "A" AND THE EAST RIGHT-OF-WAY LINE OF NW 136TH AVENUE;

THENCE NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, HAVING A CENTRAL ANGLE OF 08°07'05" AND A RADIUS OF 2290.00 FEET FOR AN ARC DISTANCE OF 324.46 FEET TO A POINT ON A NON-TANGENT LINE;

THENCE N.25°58'37"E., A DISTANCE OF 100.98 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF N.69°35'19"W.;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, HAVING A CENTRAL ANGLE OF 05°43'58" AND A RADIUS OF 2278.00 FEET FOR AN ARC DISTANCE OF 227.93 FEET TO A POINT ON A NON-TANGENT LINE;

THENCE N.71°52'08"E., A DISTANCE OF 33.65 FEET;

THENCE S.62°06'52"E., ALONG THE SOUTH RIGHT-OF-WAY LINE OF ACCESS TRACT I, ACCORDING TO THE PLAT THEREOF, SAWGRASS MILLS, PLAT BOOK 137, PAGE 13, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, (ALSO KNOWN AS GREEN TOAD ROAD), A DISTANCE OF 823.42 FEET;

THENCE S.15°01'56"E., A DISTANCE OF 51.26 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE EAST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF N.57°58'18"W.;

THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 24°41'20" AND A RADIUS OF 955.00 FEET FOR AN ARC DISTANCE OF 411.51 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH;

ALL OF PARCELS B AND C, SAVANNAH P.U.D. PLAT 6, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 145, PAGE 24 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

(PARCELS "D", "LAKE-1" AND "LAKE-2")

ALL OF PARCEL "A", "LAKEFRONT PLAT REPLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 175, PAGE 199 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

A PARCEL OF LAND BEING A PORTION OF PARCEL "L-1", WEST SUNRISE CORPORATE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 139, PAGE 46 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND A PORTION OF TRACT 52, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST EASTERLY NORTHEAST CORNER OF PARCEL "A", WEST SUNRISE CORPORATE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 139, PAGE 46 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF NW 136th AVENUE;

THENCE S.89°42'48"W., ALONG THE NORTH LINE OF SAID PARCEL "A", WEST SUNRISE CORPORATE PARK, AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 467.46 FEET;

THENCE N.00°11'41"W., A DISTANCE OF 247.44 FEET;

THENCE S.88°43'29"W., A DISTANCE OF 579.46 FEET;

THENCE N.00°10'00"W., A DISTANCE OF 487.89 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF N.W. 21st STREET;

THENCE N.88°43'29"E., ALONG SAID SOUTH RIGHT-OF-WAY LINE OF N.W. 21st STREET, A DISTANCE OF 200.04 FEET TO THE NORTHWEST CORNER OF PARCEL "A", OF SAID "LAKEFRONT PLAT";

THENCE S.00°10'00"E., A DISTANCE OF 287.85 FEET;

THENCE N.88°43'29"E., A DISTANCE OF 579.36 FEET;

THENCE S.00°11'41"E., A DISTANCE OF 181.04 FEET;

THENCE N.89°48'19"E., A DISTANCE OF 279.47 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, CONCAVE TO THE EAST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF S.89°56'55"W. THE PREVIOUS 4 COURSES BEING COINCIDENT WITH THE WEST AND SOUTH LINE OF SAID PARCEL "A", "LAKEFRONT PLAT". ; SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF NW 136th AVENUE.

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 00°08'37" AND A RADIUS OF 2410.00 FEET FOR AN ARC DISTANCE OF 6.04 FEET TO A POINT OF TANGENCY;

THENCE S.00°11'41"E., ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE A DISTANCE OF 112.88 FEET;

THENCE S.06°38'53"W., A DISTANCE OF 100.72 FEET;

THENCE S.00°11'41"E., A DISTANCE OF 50.54 FEET TO THE POINT OF BEGINNING. THE PREVIOUS FOUR COURSES BEING COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF NW 136th AVENUE.

TOGETHER WITH:

A PARCEL OF LAND BEING A PORTION OF PARCEL "A", SAWGRASS PRESERVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 157, PAGE 4, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST SOUTHERLY SOUTHEAST CORNER FO PARCEL "A", SAWGRASS PRESERVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 157, PAGE 4, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE S. 88°43'29" W., ALONG THE SOUTH LINE OF SAID PARCEL "A" AND THE NORTH RIGHT-OF-WAY LINE OF NW 21ST STREET, A DISTANCE OF 397.60 FEET TO A POINT ON THE EAST LINE OF FIRE STATION NO. 92, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 153, PAGE 50, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE N. 01°16'31" W., ALONG THE EAST LINE OF SAID FIRE STATION NO. 92 AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 290.00 FEET;

THENCE N. 88°43'29" E., A DISTANCE OF 305.11 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO THE NORTHWEST;

THENCE EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 35°29'11" AND A RADIUS OF 30.00 FEET FOR AN ARC DISTANCE OF 18.58 FEET TO A POINT ON A NON-TANGENT LINE;

THENCE S. 36°45'42" E., ALONG A RADIAL EXTENSION OF THE LAST DESCRIBED CURVE, A DISTANCE OF 20.36 FEET;

THENCE N. 89°48'19" E., A DISTANCE OF 171.88 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF N. 70°41'48" W., SAID POINT ALSO BEING ON THE EAST LINE OF SAID PARCEL "A", SAWGRASS PRESERVE, AND THE WEST RIGHT-OF-WAY LINE OF NW 136TH AVENUE;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 01°11'51" AND A RADIUS OF 2422.00 FEET FOR AN ARC DISTANCE OF 50.62 FEET TO A POINT OF TANGENCY,

THENCE S. 18°06'20" W., ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE A DISTANCE OF 0.66 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST, RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF N. 48°37'36" E.

THENCE SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 64°47'14" AND A RADIUS OF 23.00 FEET FOR AN ARC DISTANCE OF 26.01 FEET TO THE POINT OF TANGENCY;

THENCE S. 23°24'50" W., ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE A DISTANCE OF 92.11 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF N. 74°35'59" W.;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 02°22'39" AND A RADIUS OF 2422.00 FEET FOR AN ARC DISTANCE OF 100.50 FEET TO A POINT ON A NON-TANGENT LINE;

THENCE S. 50°52'26"W., A DISTANCE OF 36.82 FEET TO THE POINT OF BEGINNING, THE PREVIOUS SIX COURSES BEING COINCIDENT WITH EAST LINE OF SAID PARCEL "A", SAWGRASS PRESERVE, AND THE WEST RIGHT-OF-WAY LINE OF NW 136TH AVENUE.

SAID LANDS SITUATE, LYING AND BEING WITHIN THE CITY OF SUNRISE, BROWARD COUNTY, FLORIDA. CONTAINING 80.04 ACRES (3,486,653 S.F.) MORE OR LESS.

TOGETHER WITH

A PORTION OF PARCEL A, SAVANNAH P.U.D. PLAT 6, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 145, PAGE 24 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL A, ON THE NORTHERLY RIGHT-OF-WAY LINE OF SUNRISE BOULEVARD AS SHOWN ON SAID PLAT OF SAVANNAH P.U.D. PLAT 6, BEING A POINT ON THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 2351.83 FEET (A RADIAL LINE TO SAID POINT BEARS NORTH 18° 02' 38" EAST) THENCE ALONG SAID RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 04° 59' 03", AN ARC DISTANCE OF 204.59 FEET, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTH 72° 03' 14" WEST, 110.67 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 2363.83 FEET

(A RADIAL LINE TO SAID POINT BEARS NORTH 10° 23' 10" EAST): THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07° 40' 04", AN ARC DISTANCE OF 316.35 FEET: THENCE NORTH 03° 55' 49" EAST, 100.00 FEET: THENCE NORTH 15° 20' 42" EAST, 268.86 FEET: THENCE NORTH 20° 25' 46" EAST, 65.52 FEET: THENCE SOUTH 69° 07' 10" EAST, 51.70 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 399.19 FEET (A RADIAL LINE TO SAID POINT BEARS NORTH 69° 07' 10" WEST): THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 48° 26' 28", AN ARC DISTANCE OF 337.50 FEET: THENCE NORTH 40° 05' 06" EAST, 52.94 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL A, BEING A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 805.00 FEET (A RADIAL LINE TO SAID POINT BEARS SOUTH 49° 25' 23" WEST): THENCE SOUTHEASTERLY ALONG SAID EAST LINE, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 35° 29' 08", AN ARC DISTANCE OF 498.57 FEET: THENCE CONTINUING ALONG SAID EAST LINE OF PARCEL A THE FOLLOWING 5 (FIVE) COURSES: (1) SOUTH 27° 48' 59" EAST, 52.22 FEET: (2) SOUTH 20° 25' 49" WEST, 263.73 FEET: (3) SOUTH 27° 13' 59" WEST, 42.21 FEET: (4) SOUTH 20° 25' 49" WEST, 200.11 FEET: (5) SOUTH 69° 10' 26" WEST, 63.74 FEET TO THE POINT OF BEGINNING.


SAID LANDS LYING IN THE CITY OF SUNRISE, BROWARD COUNTY, FLORIDA, CONTAINING 9.9128 ACRES, MORE OR LESS.

EXHIBIT B - MASTER DEVELOPMENT PLAN

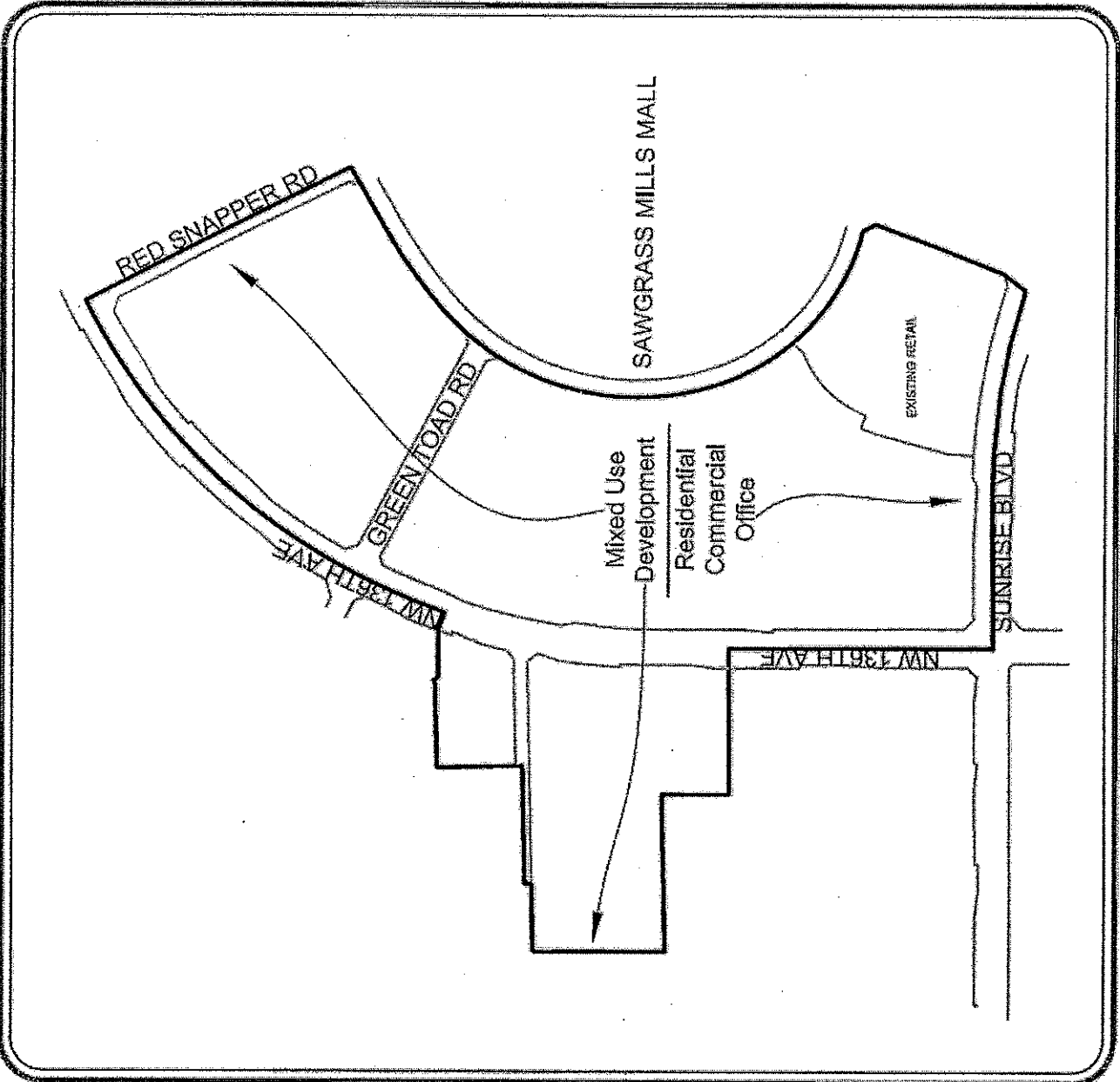
**AMERIFIRST
METROPICA
DEVELOPMENT
OF REGIONAL
IMPACT**

Landmark, Inc. & Associates, Inc.
 10000 NW 136th Ave, Suite 100
 Miami, FL 33178
 Phone: 305-555-1234
 Fax: 305-555-1234
 No. _____
 Date _____
 Scale _____
 0%

**Application for
Development
Approval**

 N
**MASTER
DEVELOPMENT
PLAN**

Project	2709	Sheet	H
Date	07/26/07	Scale	1" = 600'



AUTOCAD LT2000 PROJECTS \2709\DR\MASTER DEVELOPMENT - DR1

EXHIBIT C – TRIP GENERATION RATES

LAND USE	ITE CODE OR PERCENT	P.M. PEAK HOUR TRIP GENERATION RATE
TRIP GENERATION		
Commercial	820	$\ln(T) = 0.66 * \ln(X) + 3.40$; (48% in, 52% out)
Residential	232	$T = 0.34 * X + 15.47$; (62% in, 38% out)
General Office	710	$T = 1.12 * X + 78.81$ (17% in, 83% out)
INTERNAL CAPTURE*		
Commercial	13%	
Residential	22%	
General Office	6%	
PASS-BY CAPTURE		
Commercial		$\ln(T) = -0.291\ln(X) + 5.001^{**}$
TRANSIT CAPTURE		
Commercial	5%	
Residential	10%	
General Office	10%	
<p>* These percentages may change if the intensity of the related land use changes from that of the proposed DRI development program. The new percentage(s) will be calculated using the internal trip calculation procedures outlined in the Institute of Transportation Engineers' (ITE) Trip Generation Handbook (Second Edition).</p> <p>** External passby capture credit for commercial shall not exceed 25%.</p>		

EXHIBIT D – IMPROVEMENTS

NW 136th Avenue and SR 84: Modify portion of NW 136th Avenue between SR 84 WB and EB intersections as follows, subject to review and approval by permitting agencies:

Reconstruct to accommodate two southbound full-length left turn lanes on section of NW 136th Avenue between SR 84 WB and SR 84 EB. Reconstruct lanes and modify alignment to direct traffic from inside southbound through lane on NW 136th Avenue at SR 84 WB into the inside dedicated left turn lane on the departure leg. Modify the alignment to direct traffic from the middle southbound lane at SR 84 WB to be directed into either the outside left turn lane or inside through lane on the departure leg. If warranted and approved by permitting agencies, restripe southbound right-turn only lane on NW 136th Avenue at the SR 84 WB to a shared through-right lane. This improvement does not include alternatives that require the relocation of utilities.

ATMS Fiber-Optic Signal System Upgrade Package Summary

Roadway	From:	To:	Seg. Length (ft)	Cost
Flamingo Road	Oakland Park Blvd	NW 136 th Ave	2,800 ft	\$ 84,000.00
Flamingo Road	NW 136 th Ave	Sunrise Blvd	5,400 ft	\$162,000.00
NW 136 th Ave	Sunrise Blvd	NW 8 th St	5,300 ft	\$159,000.00
NW 136 th Ave	NW 8 th St	SR 84	5,100 ft	\$153,000.00

EXHIBIT E – PROJECT ACCESS

- a) NW 136th Avenue and south garage access – proposed right-in/right-out access point
- b) NW 136th Avenue and south driveway – existing full access unsignalized; proposed to restrict to directional opening only (pending operational review by appropriate agency)
- c) NW 136th Avenue and south-central driveway – existing full access unsignalized
- d) NW 136th Avenue and Green Toad Road – existing full access unsignalized, proposed to be full-access signalized upon satisfaction of signal warrant criteria
- e) NW 136th Avenue and south arena access – existing full access signalized
- f) Sunrise Boulevard and driveway east of NW 136th Avenue – existing full access unsignalized; proposed to restrict to directional opening only (pending operational review by appropriate agency)
- g) Sawgrass Mills Circular Road north driveway – existing full access unsignalized
- h) Sawgrass Mills Circular Road north-central driveway – existing full access unsignalized
- i) Sawgrass Mills Circular Road south-central driveway – proposed full access unsignalized
- j) Sawgrass Mills Circular Road south driveway – proposed full access unsignalized