



MEMORANDUM

AGENDA ITEM #7f

DATE: MARCH 2, 2009

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: BROWARD COUNTY ADOPTED COMPREHENSIVE PLAN AMENDMENT
(ALTERNATIVE REVIEW)

Introduction

On February 17, 2009, Council staff received adopted plan amendment package #09D-1AR (previously #08D-1AR) to the Broward County Comprehensive Plan for review of consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. The proposed amendment was reviewed at the September 8, 2008, Council meeting and found to be generally consistent with the *SRPP*. In addition, the Council expressed concerns regarding the cumulative impacts on affordable housing given the multiple developments in process for the western area of the City of Sunrise. Staff review is undertaken pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes (F.S.), and Rules 9J-5 and 9J-11, Florida Administrative Code (F.A.C.).

Community Profile

Broward County, incorporated in 1915, is a highly-urbanized county located in the southeastern portion of Florida. The 2008 population is estimated to be 1,758,494, an 8.3 percent increase since 2000. It is the 15th largest county in the nation. Broward County contains 1,197 square miles of land, of which the western two-thirds is held in conservation areas and the eastern one-third is considered developable. Population densities in the eastern part of the County average 4,318 people per square mile. Continued population growth and a growing economy, coupled with limited undeveloped land have resulted in pressures for in-fill and redevelopment at higher densities in the County. This creates the need to address issues related to school facilities, water supply, affordable housing and traffic congestion. Through its charter responsibilities, Broward County regulates the land use plans of its 31 municipalities. The County works closely with its cities to provide a consistent, comprehensive planning effort. Notable among the coordinated planning efforts is the State Road 7/U.S. 441 Collaborative. Additional information regarding the City or the Region may be found on the Council's website at www.sfrpc.com. The general location of the County is shown in Attachment 1.

Summary of Plan Amendment

Adopted amendment package #09D-1AR contains a text and map amendment to the Broward County Land Use Plan (BCLUP), related the proposed Westerra Development of Regional Impact (DRI). The amendment site is shown in Attachment 2.

This amendment package is being processed and reviewed under the Alternative State Review Process Pilot Program. Comments must be submitted to the County no later than March 19, 2009. A summary of the adopted amendment package follows.

Adopted amendment #09D-1AR to the Broward County Comprehensive Plan contains a text and map amendment to the Broward County Land Use Plan (BCLUP), creating a Local Activity Center (LAC) in the City of Sunrise. This amendment is related to the proposed Westerra Development of Regional Impact (DRI) and is being concurrently reviewed with both the City of Sunrise adopted amendment #09D-1AR and Westerra DRI Development Order (Council Agenda #7h and 5b.1, respectively).

The proposed Westerra DRI is located on a 105-acre site at the southwest corner of Sunrise Boulevard and NW 136th Avenue in the City of Sunrise. The site has been partially developed with office buildings. The development plan for the site will be for a mixed use project, consisting of residential, retail, office and hotel.

The text amendment (Broward County #PCT 08-3) establishes a new land use designation, the Sunrise Local Activity Center (Westerra), in the City of Sunrise. The Sunrise Local Activity Center (LAC) will cover approximately 100.4 acres of the proposed Westerra DRI site mentioned above. The adopted density/intensity of land uses within the LAC is shown in the table below.

Sunrise LAC	
Residential	1,750 dwelling units*
Office	1,615,000 square feet
Commercial	285,000 square feet
Industrial	140,000 square feet
Hotel	300 rooms
Recreation / Open Space	5 acres (minimum)

*1,650 high-rise dwellings, 100 townhouse dwellings

The map amendment (Broward County #PC 08-12) changes the Broward County land use designation of approximately 100.4 acres at the southwest corner of Sunrise Boulevard and NW 136th Avenue from Industrial to Sunrise Local Activity Center (LAC).

Staff Analysis and Recommendation

At transmittal, the Council expressed concerns regarding the cumulative impacts on affordable housing given multiple developments (including the nearby proposed Metropica DRI) in process for the western area of the City of Sunrise. Throughout the amendment process, Council staff met with City staff (September 25, 2008 and November 17, 2008) to gain a better understanding of the City's housing programs and progress towards adopting an affordable housing linkage fee.

In a letter dated November 20, 2008, the City conveyed that through their 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.

Furthermore, the City adopted affordable housing conditions into the Westerra Development Order. Those conditions were detailed in Agenda Item #5b1.

Staff analysis confirms drainage, potable water, public schools, recreation and open space, sanitary sewer, solid waste, and transit and roadway services and capacity are adequate to serve the future needs of the text and map amendment. Natural resources will not be negatively impacted and the amendments are compatible with and supportive of the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

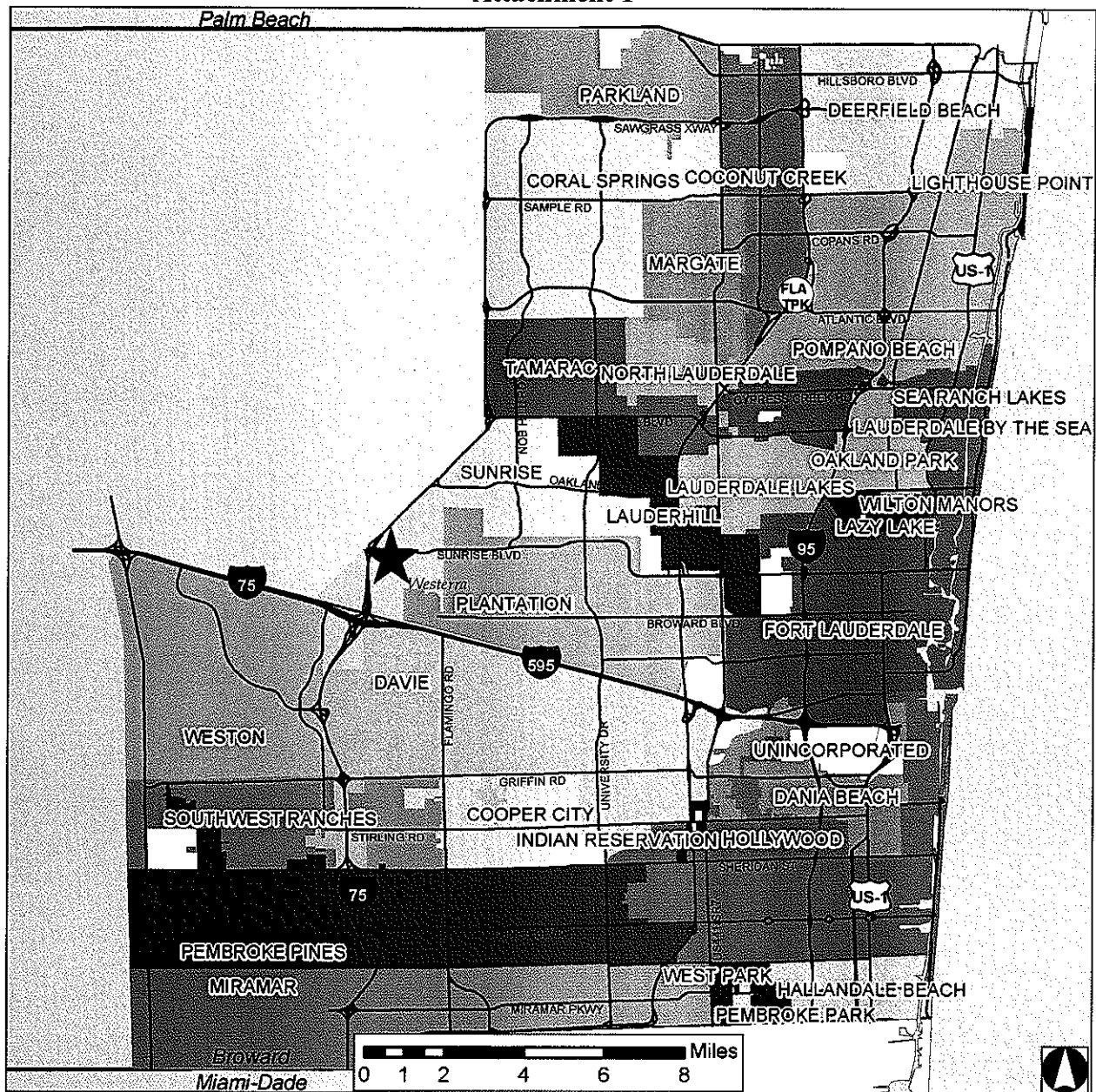
Adopted amendment #09D-1AR was adopted as proposed. Objections were not raised by review agencies prior to adoption. However, the City of Plantation expressed the following concerns: they disagree with the utilized Housing Methodology (East Central Florida Regional Planning Council), believe local Plantation roads will be impacted, and that noise will be exacerbated along Flamingo Road. The City of Plantation has initiated Conflict Resolution Procedures with the City of Sunrise. Additionally, the Broward County Board of County Commissions requested updated information regarding rental units and condominium conversions. The Applicant has provided the requested information. Copies of the correspondence are attached (Attachment 3 and 4).

The Broward County Board of County Commissioners unanimously approved the transmittal of the adopted amendment at its February 10, 2009, meeting.

Recommendation

Find Broward County adopted amendment package #09D-1AR generally consistent with the *Strategic Regional Policy Plan for South Florida*. Approve this agenda item for transmittal to Broward County, with copies to the Florida Department of Community Affairs.

Attachment 1



COMPREHENSIVE PLAN AMENDMENTS

County Location Map with Proposed Westerra DRI Site

Broward County
Adopted Amendment #09D-1AR

Sources: FDEP, SFWMD, Broward County, SFRPC.

Note: For planning purposes only. All distances are approximate.

Attachment 2



COMPREHENSIVE PLAN AMENDMENTS

Aerial Map

Broward County
Proposed Amendment #09D-1AR (PC 08-12) / Westerra DRI

From: Industrial
To: Local Activity Center
100.4 acres

Sources: FDEP, SFWMD, Broward County, SFRPC.

Note: For planning purposes only. All distances are approximate.

ATTACHMENT 3

OFFICE OF THE MAYOR
Rae Carole Armstrong,
Mayor

**PLANNING, ZONING &
ECONOMIC DEVELOPMENT**
Laurence Leeds, AICP, Director



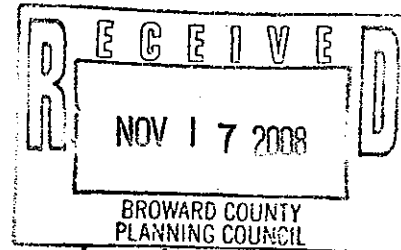
Plantation
the grass is greener™

CITY COUNCIL
Rico Petrocelli, *President*
Diane Veltri Bendekovic,
President, Pro Tem
Jerry Fadgen
Dr. Robert A. Levy
Sharon Moody Uria

November 17, 2008

VIA E-MAIL & U.S. MAIL

Mr. Henry Sniezek, Executive Director
Broward County Planning Council
Broward County Government Center
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301



RE: Metropica and Westerra Future Land Use Plan Amendments:

Dear Mr. Sniezek:

Plantation and Sunrise City staff met on July 16, 2008 to discuss the City of Plantation's concerns regarding traffic impacts associated with the Amerifist/Metropica and Westerra Future Land Use Plan Amendments. We have reviewed the Sunrise Development Director's meeting summary (dated October 30, 2008) and wish to clarify and correct the following items.

Noise Mitigation: Flamingo Road

The Sunrise Development Director states "it was the consensus of professional staff from both cities that noise levels along the roadway are likely to be significantly below FDOT Noise criteria". This is not correct. Plantation staff did not agree that road noise levels along Flamingo will meet, exceed, or fall below FDOT standards.

The Sunrise Development Director acknowledges that the City of Sunrise has not conducted noise monitoring along Flamingo Road. Without a noise study, neither City is in a position to speculate about increased noise levels resulting from existing and future development within the Sawgrass Malls area.

In addition to Westerra and Metropica, a noise study must also include anticipated traffic noise from Artesia (1,470 units – adjacent to Flamingo Road), the Tao Condominium (396 units – adjacent to Flamingo Road), and all other committed and un-built development in the area.

Traffic Impact:

The Sunrise Development Director states the applicant's traffic study indicates that Metropica and Westerra will increase traffic along arterial roadways, but will not increase traffic on local streets.

Our City Engineer advises me that the applicant's traffic study does not provide an evaluation of local road impacts in Plantation. Until Plantation local roads are properly evaluated, it is premature to suggest there is no local road impact. Plantation staff has previously requested this information be provided.

I appreciate the opportunity to clarify these items. Please distribute this letter to the Planning Council for their consideration at the upcoming hearing.

Sincerely,



Laurence Leeds, AICP, Director
Planning, Zoning, and Economic Development

Cc: Mark S. Lubelski, City of Sunrise
Brett Butler, City Engineer
Lisa Zelch, Principal Planner

ATTACHMENT 4

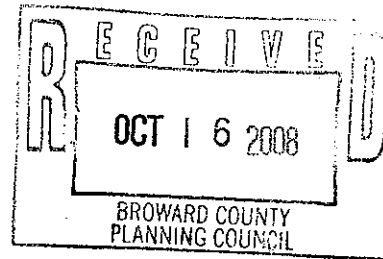
Law Offices
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Telephone: (954) 761-3636
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Richard G. Coker, Jr., P.A.
Rod A. Feiner

October 16, 2008

Mayor Lois Wexler
Vice Mayor Stacy Ritter
Commissioner Ilene Liberman
Commissioner Kristin D. Jacobs
Commissioner Ken Keechl
Commissioner Sue Gunzburger
Commissioner John E. Rodstrom, Jr.
Commissioner Diana Wasserman-Rubin
Commissioner Josephus Eggelletion, Jr.



Re: Westerra Land Use Plan Amendment - PC 08-12

Dear Mayor, Vice Mayor and Commissioners:

At the County Commission transmittal hearing of August 12th, the Mayor asked for updated information on the rental housing inventory in the City of Sunrise. The housing study submitted in conjunction with the DRI and the Land Use Plan Amendment was based upon the 2000 Census data. A copy of the applicable page of the housing study is attached as **Exhibit 1** for your reference. The table shows a total of 8,406 rental units available with 98.7% of the units falling within the Low and Moderate Income range. Since this number was derived from the Census data it included the existing rental complexes and condominium, townhouse and single family homes that were offered for rent by individual owners. That type of survey information is available only from Census data.

The Mayor raised the issue of the rental complexes that have been converted into condominiums since 2000. That data was not in the original housing study but would have an impact on the actual available rental units in 2008. We contacted the Florida Department of Business & Professional Regulation and asked them to update the list of condominium conversions since 2000. That list from the Department is attached as **Exhibit 2**. We also checked the Property Appraiser's records for the number of units in each condominium development which were not sold to individual buyers and verified when we could by phone calls to the rental office. As shown on the table, eight (8) rental developments with a total of 1,920 units were converted to condominium. However, a total of 648 of those units remain unsold and available for rental from the developer.

We also compiled a list of rental projects in the City with over 100 units. Information was updated through telephone surveys when possible. The information on these rental unit projects is contained in **Exhibit 3**. The list contains the units available for rental in the three condominium developments as shown on **Exhibit 2**. Based on the telephone survey, we provided the best information available on rental rates, income ranges and vacancy rates. Some information was not available on some projects.

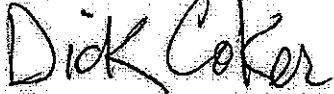
Exhibit 3 indicates that there are currently at least 4,561 rental units available in the City in projects with more than 100 units. This does not include smaller rental projects and units that are offered for

Page -2-
October 16, 2008

rent by individual owners. That information is not available.

Exhibit 4 is a map showing the location of the rental units that are listed in **Exhibit 3**.

Very truly yours,

A handwritten signature in black ink that reads "Dick Coker". The signature is written in a cursive, slightly slanted style.

RICHARD G. COKER, JR.
For the Firm

cc: Henry Sniezek, Executive Director, Broward County Planning Council

EXHIBIT 1

RENTAL TABLE FROM ORIGINAL HOUSING STUDY

total shown represents 97.2 percent of the Census count. The remaining 2.8 percent of the units were not subject to cash rent. Of the units for which cash rent is applicable,

**Distribution of Rental Units
By Affordability Level
City of Sunrise
2008**

Income Category	Units	Percent	Cumulative Percentage
Affordably-Priced Units			
Very Low Income	827	9.8	9.8
Low Income	4,276	50.9	60.7
Moderate Income	3,197	38.0	98.7
Other Units	106	1.3	100.0
Total	8,406	100.0	

Sources: U.S. Census, 2000; Miami Economic Associates, Inc.

For-sale Housing

The determination of home price threshold amounts for owner-occupied (for-sale) housing requires a similar, but somewhat more complex, process of adjustments than that described for rental payments. The basis for compiling available for-sale housing is gross (sale) or (offering) price. In the case of for-sale housing, adjustments must be made for purchase financing terms (down payment, interest rate, and term of loan) as well as taxes, casualty insurance and mortgage insurance.

The key assumptions used in this calculation, as required by the ECFRPC Methodology, included the following mortgage finance terms:

- 30 year amortization
- 6.125 percent (fixed) interest rate
- 5.0 percent down payment

The mortgage interest rate assumption is based on the average rate reported by the National Association of Realtors on June 15, 2008.

The down payment assumption, which is based on the ECFRPC Methodology, would necessitate the purchase of mortgage insurance. The mortgage brokers interviewed indicated that such insurance would cost 0.8 percent of the unit price on an annual basis.

For the purpose of this analysis, an insurance rate of \$21 per \$1,000. It was further assumed that the insurance rate would be applied to replacement cost, which we have estimated to be 80 percent of total value since the land underlying the units would not need to be replaced even if the unit was completely destroyed. The rate of \$15.60/\$1,000 of total value equates to \$21/\$1,000 of replacement value. The rate assumption used in this analysis is based on the data obtained from a website mounted by the State of Florida named shopandcompare.com. It provided comparative rates from 26 companies active in Broward County for a home with a replacement value of \$150,000 assuming a \$500 non-hurricane deductible, a 2 percent deductible and no

EXHIBIT 2

CONDOMINIUM CONVERSION TABLE

Status of Condominium Conversions in the City of Sunrise from 2000 to 2008

	Project Name	Owner Name	Date of Recorded Notice of Intent to Convert*	Total Units	Units still owned by Developer**
1	EL-Ad The Colonnade****	EL-AD Colonnade at Sawgrass	1/2/2006	390	365
2	Gardens of Sunrise		12/17/2004	48	0
3	Isles at Lago Mar***	Vision Development Group	5/2/2006	367	139
4	Springcrest	Springcrest Holdings, LLC	12/30/2003	168	0
5	Summerbreeze	Summerbreeze Apartments	11/2/2004	240	0
6	Sun Pointe Springs	Sun Pointe Springs, LLC	12/30/2003	153	0
7	Villas de Tuscany	Heather Glen 234, LLC	12/8/2004	234	0
8	Villas de Venezia	Lakes at Welleby 320, LLC	1/12/2006	320	144
		Totals		1920	648

* Source, Department of Business & Professional Regulation 8-29-2008

** Source, Broward County Property Appraiser's Office

*** No answer at office. In bankruptcy.

**** Source, Developer confirmation

9/16/2008

EXHIBIT 3

RENTAL HOUSING TABLE

Rental Units Sunrise, Florida*

Unit #	Property Name	Address	City	State	Year Built	Units	Income	Level	Units	Rate
1	Boardwalk at Inventory	2915 NW 60th Avenue	Sunrise	FL	1973	310	\$761-\$980	low	12	3.9%
2	E-At Colonnade Residences***	1640 NW 128th Drive	Sunrise	FL	1995	365	\$1110-\$1520	low	37	10.1%
3	Federation Landings	5020 N Nob Hill Road	Sunrise	FL	2005	200	low income housing	very low/low	0	0.0%
4	Golfview Apartments	7300 NW 30th Place	Sunrise	FL	1978	160	\$731-\$873	low	8	5.0%
5	Horizons	4108 N Pine Island Road	Sunrise	FL	1976	128	\$900-\$1240	low	10	7.8%
6	Isles at Lago Mar***	673 Vista Isle Drive	Sunrise	FL	1984	139	\$845-\$945	low	2	1.4%
7	Lakeside Villas	9404 NW 49th Place	Sunrise	FL	1986	372	\$1090-\$1110	low	8	2.2%
8	Marsh Harbour	8798 NW 38th Street	Sunrise	FL	1987	168	\$959-\$1239	low	5	3.0%
9	Oasis at Springtree	3551 NW 85th Way	Sunrise	FL	1974	276	\$900-\$1325	low/moderate	15	5.4%
10	Palms at Sawgrass Mills	1501 NW 124th Terrace	Sunrise	FL	1974	400	\$1185-\$1685	low/moderate	25	6.3%
11	Palms at the Green	4001 N University Drive	Sunrise	FL	1976	232	\$795-\$1500	low/moderate	7	0.0%
12	Springtree	3980 NW 88th Ave	Sunrise	FL	1984	129	N/A	low	?	0.0%
13	Springtree Lakes	4951 NW 84th Terrace	Sunrise	FL	1975	116	N/A	low	?	0.0%
14	Summerfield	3200 NW 84th Avenue	Sunrise	FL	1975	224	\$885-\$1205	low	12	5.4%
15	Sunrise Point Village	4001 NW 80th Ave	Sunrise	FL	1997	N/A	\$775-\$1095	low/moderate	?	0.0%
16	Village at Welley Park	4295 NW 109th Terrace	Sunrise	FL	1997	136	\$950-\$1495	low/moderate	7	5.1%
17	Villas de Venezia***	9978 Nob Hill Place	Sunrise	FL	1986	144	\$770-\$1125	low	?	4.9%
18	Water Terrace	10000 Reflections Boulevard West	Sunrise	FL	1986	438	\$1080-\$1580	low/moderate	31	7.1%
19	Waters Edge at Welley	10901 NW 40th Street	Sunrise	FL	1980	320	\$875-\$1520	low/moderate	28	8.8%
20	Welley Lake Club	10931 NW 39th Street	Sunrise	FL	1986	304	\$880-\$1150	low	14	4.8%
Totals/Averages									221	4.8%

Sources: Apartment Realty Advisors, LSI localSearch.com, ForRent.com, Rent.com, ApartmentGuide.com, Sites Telephone Survey

* This chart contains apartment rental complexes of 100 units or more

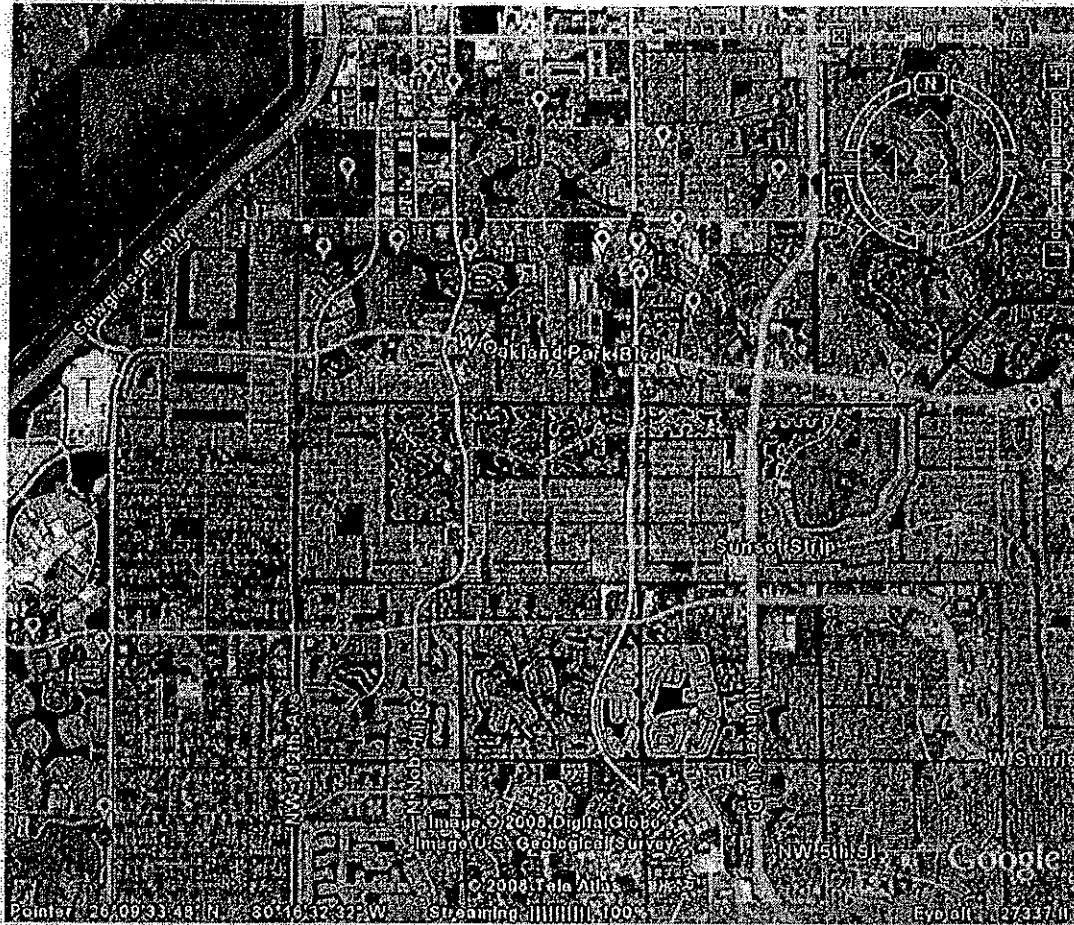
** Annual Income Range Source: "Affordable Housing Analysis, City of Sunrise, Florida" by Miami Economic Associates, Inc. 7/08

*** Unsold condominium units available for rental from Developer.

10/6/2008

EXHIBIT 4

MAJOR RENTAL HOUSING PROJECTS LOCATION MAP



Map Ref #	Property
1	Boardwalk at Inverrary
2	El-Ad Colonnade Residences
3	Federation Landings
4	Golfview Apartments
5	Horizons
6	Isles at Lago Mar
7	Lakeside Villas
8	Marsh Harbour
9	Oasis at Springtree
10	Palms at Sawgrass Mills
11	Sunrise on the Green
12	Springtree
13	Springtree Lakes
14	Summerfield
15	Sunrise Point Village
16	Village at Welleby Park
17	Villas de Venezia
18	Water Terrace
19	Waters Edge at Welleby
20	Welleby Lake Club