

THE COMMONS

DEVELOPMENT OF REGIONAL IMPACT (DRI)

Davie, Florida

RESPONSE DOCUMENT – 2ND ROUND

STATEMENT OF INFORMATION NEEDED (SIN)

July 2006

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A. REVIEWING AGENCY: South Florida Regional Planning Council

1. Question 10, Part 2 B., Consistency with SRPP. The analysis does not address consistency with Housing Goal 6 or any housing policies and it is not clear how housing will be provided to the employees of the project. The revised narrative states that the developer will make a "significant effort" to provide employment opportunities for and will plan an "outreach program" to target east Davie residents. However, no explanation is provided on how this will be accomplished. Please clarify.

Applicant's 2nd Response: The Applicant provided its response to Question 24.B with respect to the availability of housing within 10 miles or a 20 minute commute of the project, whichever is less, that would be affordable to people who will work at the Commons DRI that are heads of households that earn levels of income that are defined as very low, low and moderate by the U.S. Department of Housing and Urban Development and the East Central Florida Regional Planning Council's methodology. The analysis upon which that response was based showed that more than 10,205 appropriately priced units would be available to house the demand for 2,402 units that the project would generate. The Applicant has also indicated in response to the Question on Economic Disparity that it will hold "job fairs" in the Town of Davie's CBDG target areas and it will establish a transportation link between those areas and The Commons for people who work at the project. Specific details for this "outreach" program have not yet been formulated because it will be several years before it will need to be implemented. The Applicant believes its response to Question 24.B and its commitment to create an outreach program provide consistency with the SSSP Housing Goal.

2. Question 10 Part 3, Demographic and Employment Information. The latest estimate on the permanent jobs provided by the Commons DRI Application for Development Approval (ADA) is 6,534 according to the applicant's response to the first round Statement of Information Needed, which is no longer consistent with the number shown on Page 10-7 of the original ADA. However, the revised ADA does not include a revised version of Page 10-7. Please provide a revised page for it.

Applicant's 2nd Response: A revised section on Economic Disparity (page 10-7 in original submittal) is provided with the corrected figure.

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3. Question 14, Water, Question 14.B.1, was not answered. The applicant states that water quality tests were conducted in 2001 but does not provide any evidence of the stated results.

Applicant's 2nd Response: See Commons Question 14 July 13 2006.doc. The applicable tables have been added to the response.

4. Question 19, Stormwater Management. The applicant states that a 30 acre stormwater lake will be provided on site and as underground structures. Map 1-2 depicts expanded canals on the east and west boundaries but the expansions do not appear to represent 30 acres of the proposed site. In addition, none of the stormwater control structures, as required and referenced in the SFWMD sufficiency comments, are depicted in Map 1-2. The applicant should provide documentation from the local Drainage District that this form of stormwater management is acceptable.

Applicant's 2nd Response: Map I.2 has been revised to clearly reflect the proposed lake system, canals, piping interconnects and outfall control structure. The lake as depicted on I-2 is 30 acres. The total retention area will meet Central Broward Water Control District's (CBWCD) criteria for total retention and design. The specific retention system will be reviewed by all applicable governmental agencies and be approved by the CBWCD as part of the permitting process. The allowable discharge for this project is $\frac{3}{4}$ "/acre/day or 4.74 cubic feet/sec. The current design provides for a discharge of 4.41 cubic feet per second which is below the allowable design criteria. The proposed surface water management system will be acceptable to the CBWCD. This is evidenced by the letter from the District Engineer for the CBWCD dated May 12th, 2006 of which you received a copy. This project meets all of the criteria outlined in that letter i.e.: flood plan encroachment, retention of the 25-year storm event, upgrading canals, allowable discharge and canal interconnects. Several meetings have been held with the staff of CBWCD to discuss this project. (3/25/05, 4/21/05, 5/2/05 & 6/21/05).

5. Question 21, Transportation. The applicant indicates that the project is designed to be a regional retail and employment center in its assertion that the project is appropriately located adjacent to an interstate highway with limited local access, yet the description of the trips generated indicates that a significant portion of the trips generated are projected to be local trips. The proposed site plan being described as an urban and pedestrian environment is at odds with the site access plan requiring access only from I-75 and/or Arvida Parkway. The Lack of connectivity between the transportation network and the proposed land uses by definition creates a lack of urban or pedestrian environment.

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Please explain.

Applicant's 2nd Response: The distribution of project trips was audited and the Applicant's current model assignment absorbs 51 % of project trips within a 5-mile radius and distributes 49% beyond the 5-mile radius. A comment from the FDOT requested that the Applicant evaluate its model by redistributing and extending the trip attraction/lengths so that 50% or more of the trips travel beyond the 5-mile radius point of the project. The fact that 49% of project trips travel beyond the 5-mile radius point is sufficient support that the regional trip length characteristics are being properly reflected in the model assignments and impact analysis. The pedestrian environment relates to the internal design of The Commons since regional employment centers as well as regional fashion shopping attract commuters and visitors over long distances..

The impact of local (short) trips on I-75 as the primary access is contrary to FDOT policy for an inter-regional facility where traffic flow is important. Traffic on the parallel roadway link of Weston Road/Dykes Road has been determined to be insignificant at Sheridan Street, and that intersection has been removed from the analysis. This project is projected to generate 3,446 trips that will either load on I-75 for short durations, or on local roads that are not indicated within the final study area. It is unclear how the impacts can be limited to such a small area and have so little impact on the local roadway network. Please clarify.

Applicant's 2nd Response: The maps and figures generally limit the reporting of trips on "significant" segments by DRI definition (9J-2.045[6]). The trips below the 5% rule (project trips being equal to or greater than 5% of the directional maximum service volume of the road) continue to travel well beyond what is depicted. Forty nine percent (49%) of the total net external project trips (1688) travel beyond a five-mile radius from the project as substantiated in the response to the FDOT comment regarding trip length.

6. Question 22-A through E - Air Quality, Question 22-A appears to be sufficient.

The following statement is applicable to Question 22 B through E

Once Question 21 -Transportation- has been found sufficient by the SFRPC, an air quality analysis should be performed in accordance with the June 1994 Florida Department of Environmental Protection's "Guidelines for Evaluating the Air Quality Impacts from Indirect Sources", and in coordination with reviewing agencies.

Applicant's 2nd Response: The comment is noted and

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Applicant agrees to comply.

7. Question 24, Housing. While Table 24.B.1 has been updated, a revised demand for affordable housing analysis has not been submitted to reflect a total of 6,534 employees. The demand for affordable housing analysis in Appendix 24 (Sections 24.B.1A and 24.B.1B) reflects a total of 5,940 employees. Please revise the demand for affordable housing analysis to be based on 6,534 employees and revise Appendix 24 to reflect the revised analysis.

Applicant's 2nd Response: Revised version of Appendices 24.B.1A and 24.B.1B based on the total of 6534 employees are provided.

Please revise the housing supply analysis concerning the number of substandard housing units to be based on the definition of substandard housing as found in the Adequate Housing Uniform Standard Rule, Rule 9J-2.048(2)(w), Florida Administrative Code. The definition is:

"Substandard housing" means any housing unit lacking complete plumbing or sanitary facilities for the exclusive use of the occupants; or any housing unit which has been found by an appropriate local authority to have one or more violations of an applicable housing code that poses a material threat to the health or safety of the occupant; or any housing unit that has been declared unfit for human habitation; or any housing unit that has been found to be substandard in the most recent housing conditions survey conducted by the local government, done in conjunction with the local comprehensive plan or otherwise, provided that there is no evidence that this dwelling has since been rehabilitated.

In addition, the discussion of substandard housing units is based on Broward County data, not Town of Davie data. If the U.S. Census or American Community Survey data on substandard housing is not useful, the Town of Davie has completed an extensive housing analysis for their Evaluation and Appraisal Report. The affordable housing analysis should be revised where appropriate to reflect the new information.

Applicant's 2nd Response: The housing supply area used in the affordable analysis for Question 24 extends well beyond the Town of Davie, which makes the use of the "Davie only" numbers inappropriate. There is no unified source for data regarding all the municipalities that are contained in the housing supply area and several of the jurisdictions do not maintain counts. As indicated in the revised version of Question 24 submitted in response to the first round of sufficiency comments, the percentage of units without full plumbing or kitchens represents only about 1 percent of total housing units countywide with those lacking only full plumbing about the half that amount. Accordingly, the Applicant believes that use of

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2.5 percent figure is conservative and continues to use that figure as the best measure for the housing supply area.

It is not clear in the housing supply analysis how the maximum caps have been applied to available efficiency and 1 bedroom housing units or why only rental units were considered in the analysis. Please clarify and affordable housing analysis should be revised where appropriate to reflect the new information.

Applicant's 2nd Response: As indicated in the revised version of Question 24 submitted in response to the first round of sufficiency comments, the available supply of for-sale units meets the cap requirement relative to bedrooms. A revised Appendix 24.B.6 showing the number of bedrooms in each unit within the available supply was also provided.

Appendix 24.8.5 does not include the City where the apartments are located or include a zip code map. Please clarify and the affordable housing analysis should be revised where appropriate to reflect the new information.

Applicant's 2nd Response: A Zip code map is provided for inclusion in Appendices 24.B.5 and 24.B.6. It should be noted that the applicable standard is distance or drive time, not municipality. The map will enable verification that all the units within the supply are located within the Housing Supply Area depicted on Figure 1 of Question 24.

Appendix 24.B.6 does not include the City where the housing units are located or the number of bedrooms by unit. Please clarify and the affordable housing analysis should be revised where appropriate to reflect the new information.

Applicant's 2nd Response: See above

8. Question 25, Police and Fire Protection. It is noted that the Applicant has attempted to acquire such a letter, but in the next response, please provide a letter from the Davie Fire Department that indicates either the availability of fire and rescue service to serve the new development or the necessary mitigation to make this service available.

Applicant's 2nd Response: Applicant continues to contact the Town of Davie Planning Staff and Fire Department. As of this date, the Fire Department has not provided comments or a letter to the Applicant. Applicant will continue to request a letter and work with the Town.

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9. Question 26, Recreation and Open Space, Map H does not show the equestrian trail referenced in Question 26 A. Please revise to locate the planned recreational facilities and open space (including acreage) on Map H.

Applicant's 2nd Response: Map H has been revised as requested.

10. Question 28, Health Care, Applicant's response appears to be insufficient. Applicant indicates that letters have been requested but none are provided, at a minimum, the applicant should provide a copy of the requests for the information.

Applicant's 2nd Response: See attached requests to Health Care Provider.

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B. REVIEWING AGENCY: Broward County Mass Transit Division

1. Staff strongly supports FDOT's comments on page D-16:

“The Department prefers that a transit station be fully integrated with the site so that transit riders need not cross large parking areas to access the development's uses...create an on-site multi-modal center, which includes park and ride facilities, bus bays, bicycle storage facilities, and a transit waiting area.”

Applicant's 2nd Response: The developer continues to be committed to providing on-site transit accommodations. There are two transit facilities being discussed in the DRI with different objectives. They are (1) the Transit Center within the core of the development and (2) the Busway Transit Station for the potential Busway along the perimeter. The Transit Center is intended to serve local shuttle bus as well as BCT bus station areas with parking bays, shelters and transfers for customers and employees. It will also provide park and ride facilities for commuters. The Busway Transit Station serving a future I-75 ROW Busway would be supported with the same park and ride facilities for commuters with regional and inter-county service. These I75 ROW Busway transit riders that are commuters will want ready access to their automobiles when exiting the Busway. The site plan will develop accommodations for future pedestrian movements on properly designed pathways, plazas, and structures uniting the I-75 Busway Transit Station with The Commons in a seamless experience. Until the Busway Station is positioned following detailed PD&E studies by the FDOT, the exact placement of pedestrian pathways and plaza should follow the final placement of the Busway Station. Applicant will incorporate the Future Busway Transit Station into its site planning process.

2. Staff appreciates the response:

"applicant will work with the Department (FDOT) to provide appropriate multi-modal facilities within the project as suggested."

However, staff recommends that BCT also be consulted in the planning, development, and design of this facility. Proper design and placement of the transit terminal is needed for maximum impact to transit.

Applicant's 2nd Response: The developer will meet with BCT and FDOT to develop transit accommodations and an appropriate development order condition for both systems with the understanding that the Busway Transit

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Station is not a certainty, and as such cannot drive the transit layout beyond providing for its future implementation.

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C. REVIEWING AGENCY: Central Broward Water Control District (Earthtech)

1. We suggest that the project planner and design engineers review the CBWCD's drainage design criteria manual to ensure compliance with the requirements of the CBCWD. The manual can be found on the CBWCD's web site at the following address: <http://www.centralbrowardwcd.org>.

Applicant's 2nd Response: The Civil Engineer for the project (Craven Thompson & Associates, Inc.) has reviewed the design criteria manual and has applied the applicable criteria for the development of this site.

2. In particular, please note the requirements relative to floodplain encroachment and retention of the 25-year storm event, both of which can impact the amount of land needed for on-site water management. CBWCD design criteria also calls for upgrading canals adjacent to your property. This would apply to the N-32 and N-31 canals bordering your property. Also, please note that the allowable discharge in the C-11 West Basin is **3/a** inch per day.

Applicant's 2nd Response: As noted, the project will provide the required storage to compensate for any flood plain encroachment. This storage will be provided by on-site lakes, widening existing canals N-31 and N-32 as well as widening other District facilities within the basin. The retention of the 25-year storm has been provided for.

3. In addition, the criteria call for providing canals and improving drainage conditions in adjacent areas. As per the C-11 West Basin Facilities Update Report approved by the CBWCD Commissioners as part of the Comprehensive Plan, a project is proposed to alleviate flooding in the northern sections of the N-31 and N-27 basins. This is one of the most flood prone areas within the CBWCD. The project proposes the construction of a CBWCD canal along the southern boundary of your property to connect the N-31 and N-32 canals. In addition, the project calls for interconnecting the N-30 and N-30A canals through a combination of pipes and canals to allow the N-30 to overflow into N-31 canal to alleviate flooding in the area. Because of the extreme nature of flooding in this area, the Board will likely require these improvements to be completed as part of the development of the subject property.

Applicant's 2nd Response: Understood.

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D. REVIEWING AGENCY: Town of Davie - Planning Department

Town of Davie Development Services Letter to Lisa Lorbeck:

Dear Lisa:

Thank you for the opportunity to comment on the application for development approval (ADA) for The Commons Development of Regional Impact (DRI). The Town has reviewed the responses to the prior comments and has the following comments and questions:

The purpose of the ADA process is to identify any and all impacts a project may have on the region. The most pressing potential impacts of The Commons are traffic on both local and regional roads, and compatibility based upon land use.

Applicant's 2nd Response: The Transportation Uniform Standard Rule 9J-2.045 sets forth that the process is intended to identify impacts and mitigate impacts on "state and regionally significant roads" as identified in 9J-2.045(4) and (6). A roadway that has been removed from the local government's Comprehensive Plan and the County's Long Range Transportation Plan would not meet the test of being "regionally significant". Notwithstanding this standard, the Applicant is providing to the Town of Davie an analysis of impacts on local roads that do not meet the definition of being "regionally significant" as derived from the transportation analysis of Applicant's companion Land Use Amendment Plan Application (LUPA) and attached it as an exhibit to the first sufficiency response; Exhibit A1 (roadway segments) and Exhibit B2 (intersections).

The applicant has submitted a land use plan amendment with the Town of Davie to change the approximately 152 acre site from Residential 1 du/acre to Commercial. The response document states that "consistency with the comprehensive plan and land development regulation is one that will be addressed through the creation of new or amended land development regulation applicable to adequately buffering the existing single family use from the proposed development." A set of draft land development regulations have been submitted to town staff for review however the underlying issue of locating 154 acres of regional commercial activity adjacent to one dwelling units per acre has not been sufficiency answered. A requirement of the DRI review process is consistency with the local government's comprehensive plan. The applicant must do a better job adequately answering how this proposal, through site design, land use plan polices, buffering, and other mechanisms is compatible with the surrounding land uses to the north, west, and east of one dwelling unit per acre and will not affect the land use

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pattern integrity of the Town's out west.

Applicant's 2nd Response: The proposed improvements are compatible with the surrounding land uses due to the systematic analysis of the possible impacts. The possible impacts are as follows:

- | | |
|---------------|---------------|
| 1. Noise | 4. Traffic |
| 2. Light | 5. Safety |
| 3. Visibility | 6. Aesthetics |

1. **Noise:** The site has been designed to move the noise-creating activities away from the boundaries of the property using The Commons buildings as a shield to contain the noise generated by public activities. Delivery hours are limited to 7:00 a.m. to 7:00 p.m. In addition, loading and trash zones are designed to be enclosed or directly buffered at the source of the noise. Finally, a 100' wide, 30' high buffers surround the site along the north and east perimeters of the project. A 30' high landscape sound wall borders the southern perimeter of the property (a wall is preferred at this location and will preserve the current use of the FDOT easement by the abutting property owner as recreational extensions of their back yards). For the surrounding property owners, the result of these measures is to reduce the sound levels after the completion of The Commons to levels at or below the current background levels produced by I-75.

2. **Light:** The site has been designed to internalize the night light in public activity areas to the center of The Commons using the building to shield this light from the neighboring properties. In addition, the main structures are located as near to the freeway as possible. The parking garages will have baffles over the ventilated opening to keep the light from vehicle headlights from escaping the garage. The lighting on the periphery of The Commons will conform to the California "Night" Sky Ordinance. Consequently, the lighting in parking lots will be on poles no higher than 20'. The lights themselves will have baffles constricting the light to fall on the parking areas preventing the light from escaping toward neighboring properties or into the sky. The aforementioned 30' landscape berms and

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buffers will have 15' to 20' of very dense landscape vegetation above the 30' berm height for an effective opaque screen of 45' to 50', thereby blocking any light created by The Commons.

3. **Visibility:** The massing of The Commons is designed to concentrate its bulk away from the neighboring properties. The Commons structures will be limited to 60'. Since the height of the peripheral buffers is 45' to 50' and due to the existing structures and tall trees throughout western Davie and on the southern boundary of the parcel, The Commons will not be seen by adjacent residents.
4. **Traffic:** Traffic issues are discussed thoroughly throughout this application. The conclusion from the traffic analysis is that the traffic impact on Davie (and particularly western Davie local roads) is less than the impact from 150 homes and preserves the western character of Shotgun Road. The traffic impacts on I-75 and elsewhere will be mitigated to acceptable levels of service as part of this DRI application.
5. **Safety:** The traffic patterns are designed to provide maximum safety and to address emergency requirements. The perimeter is secured and fortified. The 30' high barriers are to be secured with perimeter fencing and patrolled site security. A fire/EMS station location is proposed on site to serve western Davie and The Commons.
6. **Aesthetics:** The Commons has been designed to be a delight to visit and invisible to the surrounding properties and residents. The buffers and walls are designed to create a natural panoply of cascading native landscape. In addition, the retention lakes will be free form and landscaped with native vegetation to provide a setting of serene beauty to the surrounding property owners and habitats for native fauna and flora.

The traffic circulation has been reviewed and discussed at great length. Shotgun Road is a local road and as such, the Town will not allow access for a regional development onto local roads. The proximity of this site to other regional and state roads are better suited for the anticipated traffic volumes. However, town staff has requested that the applicant provide the results of traffic studies performed on existing centers of this type,

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either built by the developer or of similar design to indicate how traffic may actually affect the surrounding areas. As Shotgun Road and Orange Drive are under the control of the town, any additional impacts to these two-lane local roads will result in serious traffic issues.

Applicant's 2nd Response: The Transportation Uniform Standard Rule 9J-2.045 sets forth that the process is intended to identify impacts and mitigate impacts on "state and regionally significant roads" as identified in 9J-2.045(4) and (6). Notwithstanding this standard, the Applicant has provided an analysis of impacts on these local roads even though they do not meet the definition of being "regionally significant" Please see the attachments to the first sufficiency response designated A1 (roadway segments) and Exhibit B2 (intersections).

This site does have the unique ability to incorporate viable transit into the site design. Integrating bus stops, transit stops and multi-modal design options would be a benefit to this project. A commitment to fund transit alternatives for transportation mitigation could result in a reduction in the trips generated by this project. Creative transit alternatives could also enhance the image discussed as a 'village center.'

Applicant's 2nd Response: All traffic analyses and technical information including model input files and capacity analysis input files have and will continue to be provided to allow a full audit and review of traffic related materials used in the analysis and responses to Question-21. Full technical reviews of each submittal are also performed by the Broward County staff, Florida Department of Transportation and their consultants, the South Florida Regional Planning Council, and later additional traffic analyses are reviewed by the Federal Highway Administration when the IMR is processed. These multiple agency reviews provide the assurances that the analysis is fully reviewed and that mitigation and final interchange design are appropriate and commensurate with the impacts.

PART II: GENERAL SECTION

1. General Project Description - Part 2: Consistency with Comprehensive Plans
 - a. B: Provide a breakdown of the existing and proposed land uses on the site for each phase of development through completion of the project.
Existing land use areas presented in Table 10.1.B do not match those presented on Map F in section 9 and Table 12-1.
Applicant's response: Please see revised Table 10.1.B.

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Comment: Table 10.1.B does not break down the proposed land uses as they apply during the phases. (Hotel versus Commercial would be an example.) How do construction vehicles access site during phases of development?

Applicant's 2nd Response: Table 12-1 has been revised to be consistent with 10.1.B. It is a one-phase development. Construction vehicles will access the site from the Interchange.

b. FUTURE LAND USE ELEMENT

OBJECTIVE 1: Land Development Regulations

Policy 1-5: The grant of development permits shall be consistent with the Plan Implementation Section of this Plan.

How does the project meet this Policy? Please explain.

Applicant's Response: A companion Comprehensive Plan Amendment is being proposed with the ADA. The land use change to the commercial land use designation would be consistent with this section of the Town's plan.

Comment: The land use designation will be correct only if the Town adopts the Plan Amendment.

Applicant's 2nd Response: Understood.

OBJECTIVE 2: Natural and Historic Resource Protection

Objective 2: The Town shall continue to maintain land development regulations that shall require the identification and protection of natural and historic resources, including historically significant structures, unique natural areas, and wetlands.

The project appears to be based upon the elimination of all onsite wetlands through offsite mitigation. Will there be any effort made to have the retention system develop as fully functioning wetlands employing littoral plantings as appropriate wetland transition species?

Applicant's response: All designs of the lake are subject to regulatory agency approval. An effort will be made during the design of the on-site lakes to include littoral shelves utilizing vegetation acceptable to regulatory agencies. The project will comply with the Town of Davie Land Development Code that relate to protection of natural resources and wetlands.

Comment: It is still not clear whether you are keeping

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wetlands area or not. If the answer is yes - what is your specific mitigation?

Applicant's 2nd Response: Several avoidance, minimization, and on-site and off-site mitigation alternatives are being considered to address wetland impacts resulting from this project.

The project team, in conjunction with the Broward County Environmental Protection Department (BCEPD), has identified a list of possible off-site mitigation areas to compensate for wetland losses resulting from this project. The following table is a list of potential freshwater wetland mitigation areas within Broward County that are being considered:

The project team will continue to work with BCEPD to identify other possible off-site mitigation areas within Broward County that will meet mitigation requirements.

Site #	Site Name	Municipality	Habitat Type	Acres	Comments
7	The Forest	Margate	Freshwater Forested Enhancement/Creation	22	Parks property. Very little available for mitigation
121	Mills Pond	Fort Lauderdale	Freshwater Forested Wetlands Enhancement	22	Have 3 solid commitments for 11 acres. The remaining 11 acres has a tentative commitment. Call back in December.
OS-49	Plantation Golf	Plantation	Freshwater wetland creation	88	Have 2 solid commitments. No more acres available.
OS-54	Rolling Oaks	Southwest Ranches	Freshwater wetland creation	13.8	Acreage being used to resolve outstanding violations. May be

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					some left over. Will know in 1-2 months if anything is left
OS-107	Frontier Trails	Southwest Ranches	Freshwater wetland creation	27	Acreage being used to resolve outstanding violations. May be some left over. Check back in 1-2 months
OS-104	SW Meadows	Southwest Ranches	Freshwater wetland creation	3	Acreage being used to resolve outstanding violations. May be some left over. Check back in 1-2 months
OS-106	County Estates	Southwest Ranches	Freshwater wetland creation	4	Acreage being used to resolve outstanding violations. May be some left over. Check back in 1-2 months
OS-76	Van Kirk Groves	Davie	Freshwater wetland creation	70	None available. Taken by Home Dynamics

In addition to off-site mitigation options, the project team is considering the possibility of on-site mitigation within the large open space areas located within the project boundaries. Site constraints, available acreage, and regulatory guidelines will dictate whether or not on-site mitigation is feasible at this location.

Planting of littoral shelves within stormwater management ponds is another on-site minimization and mitigation strategy being considered by the project team. The project team is working with regulatory agencies to assess the feasibility of this approach for this project. Site

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constraints and regulatory guidelines will dictate whether or not planting of littoral shelves is feasible within these ponds.

Many avoidance, minimization, and on-site and off-site mitigation strategies are available and will be incorporated into this project as part of the permitting process. The project team is working closely with BCEPD and SFWMD to assess how to mitigate for any loss of wetlands.

Policy 2-5: Adopted land development regulations shall contain guidelines and standards designed to promote the use of native vegetation and the maintenance of such material in a manner generally accepted in the industry.

How does the project meet this Policy - how does this project promote native vegetation in its development?

Applicant's response: The Commons project will include a variety of native vegetation. The buffers proposed for the site will have extensive native vegetation and will be in compliance with Town of Davie Land Development Code requirements.

Comment: Response is very vague. Is the applicant willing to commit to a minimum percentage of native vegetation? If so what is it?

Applicant's 2nd Response: Per Section 12-102, Town of Davie Land Development Code, a minimum of 25% of vegetation will be native vegetation.

Policy 2-9: The mitigation of wetlands shall be required, when determined to be appropriate by the applicable regulatory agencies.

How does the project meet this Policy? Please explain further.

Applicant's response: Appropriate wetland mitigation is being proposed as part of the development program for The Commons.

Comment: The response is vague and does not address the requested information in an effective manner. Specifically how will the project meet or exceed this policy?

Applicant's 2nd Response: Several avoidance, minimization, and on-site and off-site mitigation alternatives are being

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considered to address wetland impacts resulting from this project.

The project team, in conjunction with the Broward County Environmental Protection Department (BCEPD), has identified a list of possible off-site mitigation areas to compensate for wetland losses resulting from this project. The following table is a list of potential freshwater wetland mitigation areas within Broward County that are being considered:

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OS-107	Frontier Trails	Southwest Ranches	Freshwater wetland creation	27	Acreage being used to resolve outstanding violations. May be some left over. Check back in 1-2

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					months
OS-104	SW Meadows	Southwest Ranches	Freshwater wetland creation	3	Acreage being used to resolve outstanding violations. May be some left over. Check back in 1-2 months
OS-106	County Estates	Southwest Ranches	Freshwater wetland creation	4	Acreage being used to resolve outstanding violations. May be some left over. Check back in 1-2 months
OS-76	Van Kirk Groves	Davie	Freshwater wetland creation	70	None available. Taken by Home Dynamics

In addition to off-site mitigation options, the project team is considering the possibility of on-site mitigation within the large open space areas located within the project boundaries. Site constraints, available acreage, and regulatory guidelines will dictate whether or not on-site mitigation is feasible at this location.

Planting of littoral shelves within stormwater management ponds is another on-site minimization and mitigation strategy being considered by the project team. The project team is working with regulatory agencies to assess the feasibility of this approach for this project. Site constraints and regulatory guidelines will dictate whether or not planting of littoral shelves is feasible within these ponds.

Many avoidance, minimization, and on-site and off-site mitigation strategies are available and will be incorporated into this project as part of the permitting process. The project team is working closely with BCEPD and SFWMD to assess how

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to mitigate for any loss of wetlands.

OBJECTIVE 4: Location and Distribution of Land Uses

Objective 4: Pursuant to the adopted Davie Future Land Use Plan map, land uses, intensities, and densities shall be distributed and concentrated in such a manner so as to promote an economically sound community and discourage urban sprawl.

Explain how the project does not promote sprawl. Who are the consumers that will be served by the project? How is project viewed as infill when future land use has to be changed from moderate density to commercial in Future Land Use Map amendment?

Applicant's response: The location of this site at the Interchange of I-75 provides for intensities and densities consistent with a major freeway interchange. The site promotes an economically sound community and discourages urban sprawl by providing much needed services closer to the consumers without access to local roads. Currently, those patrons are seeking these services out of the area and often times out of the County. The proposed project will significantly enhance the Town tax base as well by adding \$3.5 million net benefit to the Town. This will greatly increase each year at a compounded rate.

Comment: The response is vague and does not provide the requested information. How is the project infill? The characteristics of infill have not been fully demonstrated. Who will benefit from the needed services...without access to local roads? The response seems to conflict with itself.

Applicant's 2nd Response: This project is suburban infill with an urban character. Also, (1) water and sewer are at the site, (2) a fire station is scheduled to be built for the area whether The Commons goes forward or not, (3) Any increase in use, be it infill or not, requires additional police protection, (4) suburban locations typically do have transit and so, as suburban infill, transit will be stressed and provided, (5) improving interchanges is a characteristic of infill projects near interchanges. Again, this project is suburban infill with an urban character.

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Policy 4-2: The extension of essential services shall be prioritized and directed to portions of the Town that already have other services available.
It is not clear as to how this project supports Policy 4.2. Please explain.

Applicant's response: Essential services, such as water and sewer, are already available to the site. They are supplied by the City of Sunrise, which is the service provider to this portion of the Town of Davie. Any improvements or connection requirements needed or necessary will be paid for and provided by The Commons. As previously noted, a transportation improvement to the site, which will be the completion of the I-75 interchange, will be fully funded by The Commons. Essential services have been prioritized with the Town consistent with what is planned by The Commons project. The Commons project will also include a work station for police and has offered to provide land for a fire emergency facility if determined by the Town of Davie to be appropriate.

Comment: The site will have to extend sewer and water to the site, provide the means for police and fire protection, someday perhaps have transit service, completely redo the interchange and yet describes itself as infill. How does this scenario meet the current definition of urban infill?

Applicant's 2nd Response: This project is suburban infill with an urban character. Also, (1) water and sewer are at the site, (2) a fire station is scheduled to be built for the area whether The Commons goes forward or not, (3) Any increase in use, be it infill or not, requires additional police protection, (4) suburban locations typically do have transit and so, as suburban infill, transit will be stressed and provided, (5) improving interchanges is a characteristic of infill projects near interchanges. Again, this project is suburban infill with an urban character.

Policy 4-3: Infill shall be encouraged as a means of directing growth to areas already containing essential infrastructure improvements, such as potable water and sanitary sewer services. Priority shall be given to areas suitable for infill development in the extension of infrastructure.

Granted this project does not place new demands upon existing services provided by Davie please explain how Policy 4-3, which calls for infill, is supported.

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Response: The Commons site is reflective of an infill site that will have essential infrastructure improvements to support the project, such as potable water and sanitary sewer facilities. It is also appropriately located at an interchange providing direct access to the interstate highway system.

Comments: See the comments/request for information for Policy 4-2.

Applicant's 2nd Response: This project is suburban infill with an urban character. Also, (1) water and sewer are at the site, (2) a fire station is scheduled to be built for the area whether The Commons goes forward or not, (3) Any increase in use, be it infill or not, requires additional police protection, (4) suburban locations typically do have transit and so, as suburban infill, transit will be stressed and provided, (5) improving interchanges is a characteristic of infill projects near interchanges. Again, this project is suburban infill with an urban character.

OBJECTIVE 5: Consistency of Development with Comprehensive Plan

Policy 5-2: Not applicable.

Applicant's response: We believe this policy is applicable.

Comment: Please describe the rationale for believing that this policy is applicable. Please be specific!

Applicant's 2nd Response: As outlined in the original ADA, the development will comply with the Town's rezoning, platting, and site planning requirements.

POLICY GROUP 7: Commercial Use

Policy 7-3: Zoning regulations shall provide for varying intensities of commercial development and direct application of appropriate districts where compatible with adjacent and surrounding residential uses.

Recognizing that the surrounding land uses immediately adjacent are low density residential, please amplify how the project furthers this policy.

Applicant's response: Because of the commitment to buffer all

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impacts, the commercial uses of The Commons are compatible with other surrounding uses, especially when it is noted that landscape buffers and landscape encapsulated sound walls reduce all impacts to levels at or below the background levels of noise, light and pollution produced by 1-75 adjoining the neighboring properties. The quality of life as measure by noise, light and sight pollution for the surrounding properties will be equal to, or increased, with the addition of The Commons.

Comment: Is the project proposing to install sound walls along the Interstate or between the project and adjacent residential areas? The response is extremely vague and unclear on this point.

Applicant's 2nd Response: Map H has been revised to depict the sound wall.

The Town of Davie Land Development Code provides for varying intensities of commercial development. The Commons project will propose a new zoning category, to support the proposed development of the project. The proposed amendments to the Land Development Code will be consistent and compatible with the adjacent and surrounding uses, primarily by establishing a buffering mechanism which is consistent with the semi-rural character of the surrounding area.

Comment: New zoning district performance standards should be provided.

Applicant's 2nd Response: A draft zoning district has been provided to the Town of Davie.

Please amplify the relationship of the project to this policy. What changes are necessary in zoning regulations to accommodate this project?

Applicant's 2nd Response: A draft zoning district has been provided to the Town of Davie.

OBJECTIVE 17: Land Use Compatibility and Community Appearance

Policy 17-7: Adopted land development regulations shall continue to set forth setbacks or separation regulations, landscape requirements, and minimum open space criteria to enhance living and working environments.

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How does the project meet this Policy?

Applicant's response: The Town has adopted Land Development Regulations that provide for setbacks and separation landscaping and open space requirements. The Commons project will comply fully with these requirements and in addition a zoning district is being proposed for The Commons property which will have specific development standards for the property.

Comment: How is the project specifically meeting this policy? Initial response is vague. Are there performance standards that can be examined or is there a draft of the zoning district available?

Applicant's 2nd Response: A draft zoning district has been provided to the Town of Davie.

Policy 17-10: The Town shall preserve the environment and character of rural areas using creative land use and planning techniques.

Explain how the project would buffer residential development to the north and south from impact created by I-75.

Applicant's Response: The Commons project will incorporate elements that preserve the environment and character of the rural areas utilizing creative land use and planning techniques such as berms, landscape buffers, landscaped encapsulated sound walls and water bodies to provide compatibility with the adjacent land uses. The Commons will also create buffers for the existing residential from the impacts of the interstate highway system.

Comment: The response provided describe urban development techniques which, due to the vagueness of the response, fail to address the concerns of the policy. Please explain how the project would buffer residential development to the north from impacts created by the modifications to the I-75 Interchange.

Applicant's 2nd Response: The Commons project will only have access to I-75. The site will be buffered from adjacent residential areas by a 100-foot wide buffer/berm along the north and east. There will be a 30' buffer wall along the south, which has been designed to avoid any increased visual, acoustical and lighting impacts from I-75 beyond those impacts currently affecting adjacent properties.

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Policy 20.2: The Town shall comply with the procedural requirements of Chapter 163, Florida Statutes, as amended from time to time, in processing amendments to the Comprehensive Plan.

Applicant's Response: This Policy does not appear to be particularly appropriate in regards to this project.

Comment: The second part of the request for information was totally avoided by the response. Again, "The application indicates that it is recognized that many of the uses proposed to be included generally have part time positions but that all employment is presented as fulltime." Please specifically provide the rationale for this!

The East Central Florida Regional Planning Council's Affordable Housing methodology does not require that the housing needs of part-time workers be considered because many times part-time work status is a matter of choice, i.e. in the case of students. Highly-respected source within the retail and food and beverage industries indicate that as many as 60 to 70 percent of their workers are part-time employees. The low average income of workers in those industries would suggest that such estimates may be correct. However, since it is impossible to know how many workers at the Commons will only work part-time, the assumption is made that they are all full-time workers. As a result of this assumption, the response to Question 24.B probably overstates the demand for affordable housing that The Commons will generate.

2. General Project Description - Part 3 - Demographic and Employment Information

Employment Information comments were answered in the above section.

3. General Project description - Part 4 - Impact Summary

Impact Summary comments were answered in the above section.

PART III:ENVIRONMENTAL RESOURCES IMPACTS

There are no specific comments to applicant's responses under this section.

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PART IV: TRANSPORTATION RESOURCE IMPACTS

1. General Transportation Comments

Generally, the applicant's sufficiency response fails to address our fundamental concern about the need to apply trip generation from post development studies for similarly situated/similar developments to the proposed development. The applicant insistence upon the use of ITE Trip Generation Handbook for pass by/diverted trips is not acceptable. The ITE Handbook as a source for similar developments could be considered sufficient in the absence of any post development studies from similarly situated /similar developments. Since there has been no attempt made to identify similarly situated /similar developments on behalf of the applicant in order to increase the Town of Davie comfort level with this development and particularly indicating the full impact of this development upon the regional roadway network influencing the traffic within the Town, the responses provided by the applicant are insufficient for review at this time as presented.

Applicant's 2nd Response: The Applicant acknowledges the Town's preference to have a comparable site with similar access, similar development, in a similar urban area and along similar regional and local roads. However, Applicant has been unable to find such as example. Even if a similar project were found, it would never fully duplicate the proposal leaving many additional areas open for interpretation. To qualify as a substitute for the ITE, not one but at least three independent samples are required (FDOT Handbook Page 48). While the project may be in a unique location, the assemblage of retail, office and hotel components, are properly forecasted by the use of ITE trip generation rates. Since the ITE rates are derived from free-standing land use groups, the combined uses and creative setting of The Commons is reasonably expected to result in lower trip rates. An estimate of such reductions is reflected by the use of the internalization rate. The ITE's Trip Generation is the most reliable estimate (based entirely on empirical data/counts of existing facilities) for the purposes of traffic impact evaluation. More importantly, the Interchange Modification Report (IMR) must be consistent with the DRI forecasts and trip generations. The IMR will be reviewed by the FDOT and FHWA who rely on ITE trip generations for these analyses. The FDOT has accepted the use of ITE Trip Generation, 7th Edition, for this analysis.

While the request for post development studies of similar developments is not a required response for

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the DRI questions related to Question 21, the Applicant will continue to investigate if studies of similar developments have been completed post-construction and if those studies provide the answers to the local road compatibility question being raised. As stated previously, the DRI and IMR must be compatible and approvable by FDOT and FHWA who both require the use of ITE trip rates for the land use components included in this development.

- a. Using Map J or a table as a base, indicate existing conditions on the highway network within the study area (as previously defined on Map J), including AADT, peak-hour trips, directional traffic split, levels of service and maximum service volumes for the adopted level of service (LOS). Identify the assumptions used in this analysis, including "K" factor, directional "D" factor, facility type, number of lanes and existing signal locations. (If levels of service are based on some methodology other than the most recent procedures of the Transportation Research Board and FDOT, this should be agreed upon at the pre-application conference stage.) Identify the adopted LOS standards of the FDOT, appropriate regional planning council, and local government for roadways within the identified study area. Identify what improvements or new facilities within this study area are planned, programmed, or committed for improvement. Attach appropriate excerpts from published capital improvements plans, budgets and programs showing schedules and types of work and letters from the appropriate agencies stating the current status of the planned, programmed and committed improvements.

Applicant's 2nd Response: The information is provided and adequately addressed in Part IV, Question 21 of The Commons Development of Regional Impact, Application for Development Approval, August 9, 2005, pages 21-1 through 21-22.

- b. Provide a projection of vehicle trips expected to be generated by this development. State all standards and assumptions used, including trip end generation rates by land use types, sources of data, modal split, persons per vehicle, etc., as appropriate. The acceptable methodology to be used for projecting trip generation (including the Florida Standard Urban Transportation Model Structure of the Institute of Transportation Engineers trip generation rates) shall be determined at the Pre-application Conference stage.

Applicant's 2nd Response: The information is provided and adequately addressed in Part IV, Question 21 of The Commons Development of Regional Impact, Application for Development Approval, August 9, 2005, pages 21-23 through 21-24.

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- c. Estimate the internal/external split for the generated trips at the end of each phase of development as identified in (B) above. Use the format below and include a discussion of what aspects the development (i.e., provision of on-site shopping and recreating facilities, on-site employment opportunities, etc.) will account for this internal/external split. Provide supporting documentation showing how splits were estimated, such as the results of the Florida Standard Urban Transportation Model Structure (FSUTMS) model application. Describe the extent to which the proposed design and land use mix will foster a more cohesive, internally supported project.

Applicant's 2nd Response: The information is provided and adequately addressed in Part IV, Question 21 of The Commons Development of Regional Impact, Application for Development Approval, August 9, 2005, pages 21-25 through 21-30.

- d. Provide a projection of total peak hour directional traffic, with the DRI, on the highway network within the study area at the end of each phase of development. If these projections are based on a validated FSUTMS, state the source, date and network of the model and of the TAZ projections. If no standard model is available and some other model or procedure is used, describe it in detail and include documentation showing its validity. Describe the procedure used to estimate and distribute traffic with full DRI development in sub zones at build out and at interim phase-end years. These assignments may reflect the effects of any new road or improvements which are programmed in adopted capital improvement programs and/or comprehensive plans to be constructed during DRI construction; however, the inclusion of such roads should be clearly identified. Show these link projections on maps or tables of the study area network, one map or table for each phase-end year. Describe how these conclusions were reached.

Applicant's 2nd Response: The information is provided and adequately addressed in Part IV, Question 21 of The Commons Development of Regional Impact, Application for Development Approval, August 9, 2005, pages 21-26 through 21-67.

- e. Assign the trips generated by this development as shown in (B) above and show, on separate maps or tables for each phase-end year, the DRI traffic on each link of the then-existing network within the study area. Include peak-hour directional trips. If local data is available, compare average trip lengths by purpose for the project and local jurisdiction. For the year of build out and at the end of each phase estimate the percent impact, in terms of peak hour directional DRI trips/total peak hour directional trips and in terms of peak hour directional DRI trips/existing peak hour service volume for desired LOS, on each regionally significant roadway in the study area. Identify facility type, number of lanes and

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projected signal locations for the regionally significant roads.

Applicant's 2nd Response: The information is provided and adequately addressed in Part IV, Question 21 of The Commons Development of Regional Impact, Application for Development Approval, August 9, 2005, pages 21-68 through 21-105.

- f. Based on the assignment of trips as shown in (e) above, what modifications in the highway network (including intersections) will be necessary at the end of each phase of development, to attain and maintain local and regional level of service standards?

Identify which of the above improvements are required by traffic not associated with the DRI at the end of each phase. For those improvements which will be needed earlier as a result of the DRI, indicate how much earlier. Where applicable, identify Transportation System Management (TSM) alternatives (e.g., signalization, one-way pairs, ridesharing, etc.) that will be used and any other measures necessary to mitigate other impacts such as increased maintenance due to a large number of truck movements.

Applicant's 2nd Response: The information is provided and adequately addressed in Part IV, Question 21 of The Commons Development of Regional Impact, Application for Development Approval, August 9, 2005, pages 21-106 through 21-110.

- g. Identify the anticipated number and general location of access points for driveways, median openings and roadways necessary to accommodate the proposed development. Describe how the Applicant's access plan will minimize the impacts of the proposed development and preserve or enhance traffic flow on the existing and proposed transportation system. This information will assist the Applicant and governmental agencies in reaching conceptual agreement regarding the anticipated access points. While the ADA may constitute a conceptual review for access points, it is not a permit application and, therefore, the Applicant is not required to include specific design requirements (geometry) until the time of permit application.

Applicant's 2nd Response: The information is provided and adequately addressed in Part IV, Question 21 of The Commons Development of Regional Impact, Application for Development Approval, August 9, 2005, page 21-111.

- h. If applicable, describe how the project will complement the protection of existing, or development of proposed, transportation corridors designated by local

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governments in their comprehensive plans. In addition, identify what commitments will be made to protect the designated corridors such as inter local agreements, right-of-way dedication, building set-backs, etc.

Applicant's 2nd Response: The information is provided and adequately addressed in Part IV, Question 21 of The Commons Development of Regional Impact, Application for Development Approval, August 9, 2005, page 21-112.

- i. What provisions, including but not limited to sidewalks, bicycle paths, internal shuttles, ridesharing and public transit, will be made for the movement of people by means other than private automobile? Refer to internal design, site planning, parking provisions, location, etc.

Applicant's 2nd Response: The information is provided and adequately addressed in Part IV, Question 21 of The Commons Development of Regional Impact, Application for Development Approval, August 9, 2005, page 21-113.

1. The following general and specific comments are for the above referenced transportation questions:

Generally, although the model seems to indicate per Map J-2, that the impact of the proposed DRI on the Town of Davie's roadway network would be minimal, this underestimation of the impact on the Town's roadway network could be challenged on the basis of the following:

- a. **Due to the way the traffic growth rates are calculated on the basis of sectors or grouping of roadway links as opposed to individual roadway links, the individual roadways within the Town may appear to be operating at an acceptable level of service and under 5% DRI impact threshold, while in reality and based on the roadway link growth rate, they might not. This sector approach is employed by the applicant without substantiation as to why and how the grouping for these roadway links are determined, and why 5 years historic data was not sufficient for link based growth rates. Sector based growth rates may set the stage for an impractical capacity transfer from out of the way roadway links at the expense of the overcapacity roadway links.**

Applicant's response: Estimating traffic growth rates based on historic data is an acceptable, method for projecting background traffic up to five years in the future if no major changes in roadway characteristics or development patterns are anticipated. FDOT's Site Impact Handbook recommends a modeling approach to estimate traffic growth for periods over five years. Since regional models typically do not include local roads and loading points are concentrated on centroid connectors, estimating future growth rates using a regional growth rate

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rather than segment growth for individual roadway segments has been found to be an appropriate and preferred method for developments occurring beyond five years of the base (existing) conditions. Nonetheless, since The Commons has no direct access to the Town of Davie, project trips do not exceed 5% of the adopted service volumes of any roadway located within the Town of Davie. Therefore the growth rate method used for background traffic is appropriate.

Comment: The inconsistency in the years (some 2004 and some 2005) and the number of years used for background traffic data to arrive at growth rate for sectors remains questionable (See pages D-6 & D-7). The lower revised growth rates for West Davie 2.31% to 1.69% and for Westin from 4.3% to 3.7% sectors by changing the number of data years from 2000-2004 to 2001-2004 are particularly unreasonable since none of the historic records were used for projections and much lower model derived growth rates were used instead. Furthermore, even model derived calculations do not seem to be correct for sectors 1 (Westin 1.33%) and 2 (West Davie 1.29%) particularly.

Applicant's 2nd Response: Clarification of Table 21.D4A: In the instances where a data point was missing from the specific source (FDOT or Broward County) in particular for the year 2000, the following year 2001 data was used and the growth period of five years was applied (not four).

Further review of Table 21.D4A and data sources showed that traffic volumes were available at the following stations through Broward County Traffic:

- a. Indian Trace south of I-75 [FDOT 5332] Broward County 9299 - 14,224 vpd,
- b. Arvida Parkway south of I-75 [FDOT 5333] BC-9353 - 12,428 vpd,
- c. Arvida Parkway west of I-75 [FDOT 5329] BC-8225 - 37,292 vpd,
- d. Bonaventure Blvd. south of I-75 [FDOT 5331] BC-9114 - 9752 vpd.

Applying the above volumes to Table 21.D4 results in a year 2000 column sum of 379,979 instead of 393,983 as shown in the table. This in turn yields a sector compound growth rate of 5.25% instead of 4.30%. This growth rate reflects an accelerated growth in the Weston City area, a growth that was typical of the last five years but projected to decrease as the City completes development in the next few years.

As stated in the SIN-1 responses, "estimating

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traffic growth rates based on historic data is an acceptable method for projecting background traffic up to five years in the future if no major changes in roadway characteristics or development patterns are anticipated. FDOT's Site Impact Handbook recommends a modeling approach to estimate traffic growth for periods over five years. Since regional models typically do not include local roads and loading points are concentrated on centroid connectors, estimating future growth rates using a regional growth rate rather than segment growth for individual roadway segments has been found to be an appropriate and preferred method for developments occurring beyond five years of the base (existing) conditions."

The model derived growth rates for Table 21.D4B are correct [Sector 1 - City of Weston 1.33% and Sector 2 -- Western Davie 1.29%].

More specifically, there are a number of text table/map typos/errors that need to be rectified in order to increase the confidence of the reviewing agencies in the integrity of the applicant's analysis:

Applicant's 2nd Response: Every effort has been made to correct minor grammar or typographical errors where discovered or pointed out in comments. The integrity of the applicant's analysis is assured through the sufficiency reviews of not only the Town of Davie but also the multiple agencies including but not limited to the Florida Department of Transportation, various departments of Broward County, South Florida Regional Planning Council, and ultimately the Federal Highway Administration when this DRI is merged with the IMR process.

b. 7). Map J-2 indicates S. Post Road between Weston and I-75 as significant links as per 5% max service volume. Map error?

Applicant's response: South Post Road between Weston Road and I-75 is not significant (see Table 21.A2). In fact, the South Post Road segment actually extends from Weston Road to SW 154th Avenue (Shotgun Road) without other intervening roadways. Map J-2 has been modified to clearly indicate the significant links and avoid future confusion.

Comment: The footnote #3 referenced in the table, indicate "Maximum Service Volume are reduced by 5% per Broward County Level of Service Analysis for Years 2003 and 2025 Handbook," which should result in an

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equal number or more impacted segments along Arvida Parkway Griffin Road.

- i. Arvida Parkway: Although the number of segments between 21-6 and R21-6 remain the same (10 segments), Peak Hour Directional Max Service Volume (MSV) increased from 1,620 to 1,767 (9% increase) instead of reduction by 5% (1,539) per footnote 3.**

Applicant's 2nd Response: The Maximum Service Volume (MSV) value of 1,620, as originally applied to the four-lane segment of Arvida Parkway (now Royal Palm Boulevard) west of Weston Road, corresponded to a FDOT roadway classification as a Non-State Roadway (Table 4-7, Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas). The ADA analysis was revised in the First Round Statement of Information Needed (SIN-1) to reflect the classification as defined in Appendix B: East/West Roadways Level of Service Analysis 2003 and 2025 of the report "Roadway Level of Service Analysis for 2003 and 2025", Broward County MPO. Arvida Parkway to the west of Weston Road is designated as design code 422. This design code corresponds to FDOT's Class I Roadway (>0.00 to 1.99 signalized intersections per mile) as per Appendix A of the aforementioned LOS Analysis.

As per FDOT's LOS Table 4-7, the corrected corresponding peak hour directional MSV is 1,860 (not 1,620 as originally presented in the ADA). Furthermore, as per the referenced "footnote" presented in the tables of Appendix C of the aforementioned Broward County Level of Service Report, the MSV for the subject segments are reduced 5% resulting in a revised MSV of volume of 1,767 (1,860 x 0.95).

The number of segments impacted remains the same because the estimated project trips per segment do not change and do not meet the 5% Significance threshold.

- ii. Griffin Road: The 5% reduction in Peak Hour Directional Max Service Volume results in 1,651 from 2,790, the number of segments impacted remain the same. This is also true about the number of**

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impacted segments for Sunrise Boulevard and Post Road while Peak Hour Directional Max Service Volume remain the same between 21-6 and R21-6.

Applicant's 2nd Response: The Maximum Service Volumes for Griffin Road were revised in the same manner as described for Arvida Parkway in the preceding response. The original ADA values (p 21-6) were adjusted (reduced) by 5% as per the referenced Footnote of Appendices B and C of the report "Roadway Level of Service Analysis for 2003 and 2025", Broward County MPO.

The number of segments impacted remains the same because the estimated project trips per segment do not change and do not meet the 5% Significance threshold.

There were no changes to the maximum Service Volume applied to either Sunrise Boulevard or South Post (pages 21-6 and R21-6 (March 2006)). The impacted (5% Significance) segments remain the same for both roads.

iii. Weston Road/Dykes Road impacted segments are fewer in R21-6 than 21-6 due to increase in MSV from 1,620 and 2,450 to 1,710 and 2,570 without any substantiation!

Applicant's 2nd Response: The MSV's for Weston Road were revised in the same manner as described for Arvida Parkway in the preceding response.

The Maximum Service Volume (MSV) value of 1,620, as originally applied to the four-lane segments of Weston Road (p 21-7 of the ADA) corresponded to a FDOT roadway classification as a Non-State Roadway (Table 4-7, Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas). The ADA analysis was revised in the First Round Statement of Information Needed (SIN-1) to reflect the classification as defined in Appendix B: East/West Roadways Level of Service Analysis 2003 and 2025 of the report "Roadway Level of Service Analysis for 2003 and 2025", Broward County MPO. Arvida Parkway to

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the west of Weston Road is designated as design code 432. This design code corresponds to FDOT's Class II Roadway (2.00 to 4.50 signalized intersections per mile) as per Appendix A of the aforementioned LOS Analysis. The MSV for this classification is 1,710 as shown in Table 21.A2 (Revised March 2006).

The revision of the MSV on the four-lane segments of Weston Road resulted in the removal of the segment between North Commerce Parkway and Indian Trace from the list of the impacted segments, as per the 5% significance rule.

The Maximum Service Volume (MSV) value of 2,450 as originally applied to the six-lane segments of Weston Road (p 21-7 of the ADA) corresponded to a FDOT roadway classification as a Non-State Roadway (Table 4-7, Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas). The ADA analysis was revised in the First Round Statement of Information Needed (SIN-1) to reflect the classification of a six-lane FDOT Class II roadway (2.00 to 4.50 signalized intersections per mile). The MSV for this classification is 2,570 as shown in Table 21.A2 (Revised March 2006).

- iv. Peak Hour Directional Max Service Volume for other roadways are increased without any substantiation resulting in overall fewer impacted segments (per 5% project trip over MSV threshold) and thereby fewer segments depicted in revised J-21821-5 map than the original J-2121-5.**

Applicant's 2nd response: The Peak Directional Maximum Service Volumes for all of the roadways were reviewed and revised to conform with the Broward County Design Codes as presented in the report "Roadway Level of Service Analysis for 2003 and 2025", Broward County MPO.

- c. 8) Page 21-11 end of the last paragraph indicate: "The IMR will connect to one or more new public roads to be built within the DRI development area but will not connect to existing roads proximate to the site within the Town of Davie". This statement seems to imply the intention of the applicant to convey the right-of-way necessary and maintenance responsibility of the said public roads within the development to the county or the town consistent**

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with policy 15-6 and 15-7, as such further limitations as to the internal capture trips allowed for land uses fragmented by public road(s) would be applied.

Applicant's response: The policy regarding the fragmenting of internal trips and public roads is not applicable to the condition or the intent described here or in FDOT's Site Impact Handbook page 54 where it states "Trips that cross or use public roads cannot be considered internal." The point is that these trips must be accounted for in the analysis to make certain that the trips are not deleted from the external analysis. Similarly, because an internal trip crosses a road at the site it is not accurate to assign this trip on a regional basis when it never leaves the periphery of the project site area. Reassigning these trips as net external or primary trips would be inaccurate.

Comment: The applicant's interpretation of FDOT Site Impact Handbook page 54 is not reasonable; the handbook makes no exception for DRIs.

Applicant's 2nd Response: The applicant's interpretation is founded on prior interpretations of this language (Page 54 of the FDOT Site Impact Handbook) as related specifically to DRI analyses. One such interpretation was rendered in connection with sufficiency comments for the Beacon Lakes DRI (FDOT6 Comments of July 14, 2001). This interpretation was previously discussed with one of the FDOT authors of the FDOT "Site Impact Handbook". Our initial response for The Commons is consistent with the response provided at that time which was accepted by the FDOT-6, South Florida Regional Planning Council (SFRPC), Miami Dade County and DCA. The internal road system within the site will be designed to allow any vehicular trips that need to make linked or internal trips to do so without the use of the exterior public road system.

d. 9) Page 21-51/Table 21,03 ZDATA1 number of hotel rooms (210) inconsistent with the development summary/Table 21-A1 (300).

Applicant's response: The correct value for hotel is 300 rooms as shown in Table 21.A1. Table 21.D2 has been corrected accordingly. Test runs of the model with 300 rooms show no changes in distribution patterns.

Comment: "Test runs of the model with 300 rooms show no changes in distribution patterns" needs to be substantiated (saying so does not make it so).

Applicant's 2nd Response: The trip generation for the hotel was re-coded for the 300 rooms and the resulting model assignment produced the changes in

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distribution provided in attached **Exhibit D1 (SIN2)** which are insignificant when considering the rounding of decimal places. In fact, in most cases the distribution is identical to what was originally reported thus further analysis or adjustment is unnecessary.

- e. 10) Page 21-62/Table 21-D5, last column for Southbound of Weston Rd between S. Commerce and S. corporate should be "Yes+F" not "Yes+E".**

Applicant's response: A check with FDOT 2002 Level of Service (LOS) Report shows that the LOS E threshold is 1,720 vehicles per hour (vph) vs. the calculated 1,639 vph for the link. Table 4 Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas, FDOT 2002 Quality/Level of Service Handbook indicates that the LOS E threshold is 1,720 vehicles per hour for a non-state roadway. The final total peak hour directional volume for southbound Weston Road as shown in Table 21.D5 is 1,639 vehicles per hour. This volume is less than the aforementioned LOS E threshold; thus, the directional link is a LOS E.

Comment: Table 21-1)5 confirms our comment and indicate "Yes+F". The 1,720 Max Service Volume for LOS E mentioned in the response is inconsistent with 1,710 in Table 21-D5 and 1,639 final total is inconsistent with 1,910 for the same in the table for the segment of Westin between S. Commerce and S. Corporate.

Applicant's 2nd Response: Table 21.D5, page R21-62(March 2006) indicates YES in the last column (Project Trips greater than 5%, YES/NO) for the southbound segment of Weston Road between South Commerce Parkway and South Corporate Boulevard. In the original ADA, it was YES+E.

The change is due primarily to the reduction of committed development trips in response to FDOT's request of the First Round Statement of Information Needed (SIN-1) to "Please revise the table (Table 21-D3A) to only include all committed developments within (a) 3-mile radius." The following summarizes the changes between the original ADA and the revision for SIN-1 based on the FDOT request:

Southbound Weston Road between South Commerce and South Corporate Boulevard:	Table 21.D5, p. 21-62	Table 21.D5, p. R21-62 March 2006
2013 Background	1,268	1,268
2013 Committed Development	188	144

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Trips with The Commons		
The Commons Trips	183	183
Final Total Peak Hour Directional Trips	1,639	1,595

Since the Maximum Service Volume for this segment of Weston Road is 1,710 (as per the report "Roadway Level of Service Analysis for 2003 and 2025", Broward County MPO and FDOT Table 4-7, Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas), and the Final 2013 Peak Hour Volume is 1,595, the resulting LOS is D, as shown in Table 21.D5, page R21-62 March 2006.

Clarification and correction to response to SIN-1: The Maximum Service Volume for the segment of Weston Road between South Commerce parkway and South Corporate Boulevard should be 1,710 as shown in Table 21.D5, page R21-62 March 2006. The MSV is LOS D. The capacity for the corresponding roadway classification as per FDOT's Table 4-7 is 1,800 (LOS E). Thus peak hour directional volumes between 1,710 and 1,800 can be considered as LOS E.

- f. 11) Pass by trips reductions taken need to be substantiated by post development studies from similar existing developments as it was pointed out in the Town comments on the methodology. The town fords these trip reductions, as presented unsubstantiated.**

Applicant's response: The Institute of Transportation Engineers (ITE) is the principle source for trip generation and pass by reductions throughout the United States and is referenced and used by the FDOT, FHWA and locally Broward County. The ITE has published extensive post-development research (interviews at existing developments throughout the United States including Florida). The results are published in the ITE's Trip Generation Handbook, Second Edition, ("An ITE recommended Practice"), June 2004. Table 5.6 in this document provides 100 referenced data points resulting in an average pass by percentage of 34% during the weekday PM peak period. The trip reduction rate calculated for The Commons DRI was 20% whereas only 15% was used. A copy of Table 5.6 is appended as Exhibit B-1.

Comment: The situation is unique enough to deserve a unique treatment substantiated with post development studies for similarly situated developments. ITE is a reliable source of data (default data if you will) in the absence of any post-development studies for similarly situated/similar developments which could be acquired with a reasonable amount of effort to increase the comfort level of all concerned parties, including the Town of Davie with this DRI.

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Applicant's 2nd Response: The Applicant acknowledges the Town's preference to have a comparable site with similar access, similar development, in a similar urban area and along similar regional and local roads. However, Applicant has been unable to find such as example. Even if a similar project were found, it would never fully duplicate the proposal leaving many additional areas open for interpretation. To qualify as a substitute for the ITE, not one but at least three independent samples are required (FDOT Handbook Page 48). While the project may be in a unique location, the assemblage of retail, office and hotel components, are properly forecasted by the use of ITE trip generation rates. Since the ITE rates are derived from free-standing land use groups, the combined uses and creative setting of The Commons is reasonably expected to result in lower trip rates. An estimate of such reductions is reflected by the use of the internalization rate. The ITE's Trip Generation is the most reliable estimate (based entirely on empirical data/counts of existing facilities) for the purposes of traffic impact evaluation. More importantly, the Interchange Modification Report (IMR) must be consistent with the DRI forecasts and trip generations. The IMR will be reviewed by the FDOT and FHWA who rely on ITE trip generations for these analyses. The FDOT has accepted the use of ITE Trip Generation, 7th Edition, for this analysis.

While the request for post development studies of similar developments is not a required response for the DRI questions related to Question 21, the Applicant will continue to investigate if studies of similar developments have been completed post-construction and if those studies provide the answers to the local road compatibility question being raised. As stated previously, the DRI and IMR must be compatible and approvable by FDOT and FHWA who both require the use of ITE trip rates for the land use components included in this development.

- g. 12) It is unclear how the intersections and the roadway links the town requested the applicant to study did not make the cut. Although, aggregate or sector based growth rates had a lot to do with it, further explanation is required.**

Applicant's response: The roadway network referenced was omitted due to the lack of significant regional impacts as defined in Rule 9J-2.045, F.A.C. However,

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since the Applicant agreed to address these local roads and intersections as part of the LUPA process, the analysis was performed as is appended to this response as Exhibit B-2 and will be inserted into the DRI appendices.

Comment: LUPA (Exhibit A-1) & B-2-B,C,D? Is it Document B/Appendix B-2-B? LUPA page F-iii MSV changes from 1380 in 2015 to 1390 in 2030 for Shotgun Rd (typo?). There are other MSVs for other segments that have changed in revised tables without substantiation. "Coded too low" is no justification to alter the MSV; needs to be substantiated also (page F-III). Link analysis provided in Table B-2-4 indicates LOS F for SW 14th St.

Applicant's 2nd Response: For clarification, Exhibit A1 contains roadway segment analyses as derived from the filed LUPA, which does not contain intersection analyses. Exhibit B2 was prepared to provide the local road intersections analyses, which were requested during the pre-application conference and the sufficiency reviews. In our SIN-1 response it was stated "the roadway network referenced was omitted due to the lack of significant regional impacts as defined in Rule 9J-2.045, F.A.C." The roads referenced were:

- SW 14th Street from SW 136th Avenue to Weston Road
- SW 36th Street from SW 154th Avenue to Weston Road
- SW 154th Avenue from Orange Drive to SW 14th Street
- Orange Drive from SW 154th Avenue to Flamingo Road
- SW 148th Avenue from SW 14th Street to I-595

As shown in Table 21-A2, SW 14th Street (aka Indian Trace) extends from I-75/SR-84 in the west to SW 136th Avenue in the east.

SW 36th Street (South Post Road) extends from Saddle Club Road to SW 154th Avenue (Shotgun Road).

SW 154th Avenue extends from north of SW 14th Street to Orange Drive

Orange Drive extends from SW 36th Street to Flamingo Road.

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SW 148th Avenue extends from north of SW 14th Street to SW 14th Street.

The project trips were assigned to these roadways through the application of the FSUTMS. Table 21-A2, page 21-6 (and page R21-6) presents the number of PM peak hour directional trips assigned to each roadway segment and the corresponding level of significance (5% of Maximum Service Volume). As shown in Table 21-A2, none of the aforementioned roadways are significant except for the segment of South Post Road between Weston Road and Bonaventure Boulevard, which lies within the City of Weston.

ATTACHMENT B-2, Memorandum to Leigh Kerr, AICP dated April 24, 2006, SIN-1 Responses was prepared in response to the Town of Davie's reviewers' request to assess the impacts on the aforementioned local roadways. It is this document that should be referenced with respect to the DRI review.

Note: The applicant Responses #14, 15, 16 are identical despite the fact the questions/comments are different.

h. 14) A review of the roadway network traffic impact study indicates that the traffic impact study does not provide the existing traffic conditions of the following road segments:

- SW 14th Street from SW 136th Avenue to Weston Road
- SW 36th Street from SW 154th Avenue to Weston Road
- SW 154th Avenue from Orange Drive to SW 14th Street
- Orange Drive from SW 154th Avenue to Flamingo Road
- SW 148th Avenue from SW 14th Street to I-595

Applicant's response: As stated in the Applicant's response to Item 12, the roadway network referenced was omitted due to the lack of significant regional impacts as defined in Rule 9J-2.045, F.A.C. However, since the Applicant agreed to address these local roads and intersections as part of the DRI process, the analysis was performed and is appended to this response as Exhibit B-2 and will be inserted into the DRI appendices.

These are not regional roadways. However, these roadways are analyzed in detail under the LUPA document (see Exhibit A-1, attached). The local intersections listed above have been analyzed and attached in Exhibit B-2.

Comment: Exhibit A-1 (LUPA) & Exhibit B-2? Is this Document B/Appendix

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B-2-B,C,D? The LOS determination in Tables F-16 and F-17 are questionable without stating the reasons why exceeding MSV has resulted in LOS E instead of F.

Applicant's 2nd Response: Please see ATTACHMENT B-2, Memorandum to Leigh Kerr, AICP dated April 24, 2006, SIN-1 Responses was prepared in response to the Town of Davie's reviewers' request to assess the impacts on the aforementioned local roadways. It is this document that should be referenced with respect to the DRI review.

Those cases where the traffic volumes exceed the Maximum Service Volume and yet has a LOS E (generally considered as Capacity) are due to the situation where the LOS E volume as per FDOT's Table 4-7 Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas are not exceeded but are greater than the adopted LOS of D.

For example, in Table B-2-2 of ATTACHMENT B, the directional PM Peak Hour Volume for westbound SW 14th Street between SW 154th Avenue and SW 148th Avenue is 555. The Maximum Service Volume for this road as per FDOT Table 4-7 is 530 which represents a LOS of D. The corresponding LOS E volume for this class of roadway is 660 as per FDOT Table 4-7. Since the actual volume is greater than the LOS D limit but less than the 660 capacity value for LOS E, the corresponding LOS is E.

- i. 15) The traffic impact study does not examine the existing road capacities of the above roadway segments and incorporate these factors into the final traffic impacts.**

Applicant's response: As stated in the Applicant's response to Item 12, the roadway network referenced was omitted due to the lack of significant regional impacts as defined in Rule 9J-2.045, F.A.C. However, since the Applicant agreed to address these local roads and intersections as part of the DRI process, the analysis was performed and is appended to this response as Exhibit B-2 and will be inserted into the DRI appendices.

These are not regional roadways. However, these roadways are analyzed in detail under the LUPA document (see Exhibit A-1, attached). The local intersections listed above have been analyzed and attached in Exhibit B-2.

Comment: Exhibit A-1 (LUPA) & Exhibit B-2? Document B/Appendix B-2-B,C,D? (See #10 above)

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Applicant's 2nd Response: For clarification, Exhibit A1 contains roadway segment analyses as derived from the filed LUPA, which does not contain intersection analyses. Exhibit B2 was prepared to provide the local road intersections analyses, which were requested during the pre-application conference and the sufficiency reviews.

j. 16) The traffic impact study does not address local roadway improvements for the Town of Davie roadway network.

Applicant's response: As stated in the Applicant's response to Item 12, the roadway network referenced was omitted due to the lack of significant regional impacts as defined in Rule 9J-2.045, F.A.C. However, since the Applicant agreed to address these local roads and intersections as part of the DRI process, the analysis was performed and is appended to this response as Exhibit B-2 and will be inserted into the DRI appendices.

These are not regional roadways. However, these roadways are analyzed in detail under the LUPA document (see Exhibit A-1, attached). The local intersections listed in response 14 above have been analyzed and attached in Exhibit B-2.

Comment: Exhibit A-1 (LUPA) & Exhibit B-2? Document B/Appendix B-2-B,C,D? There is no discussion of Table F-16 indicating LOS F SW 14th Street between Shotgun and Weston for 2015 and 2030 with MSV as coded or MSV Re-evaluated.

Applicant's 2nd Response: Please see ATTACHMENT B-2, Memorandum to Leigh Kerr, AICP dated April 24, 2006, SIN-1 Responses was prepared in response to the Town of Davie's reviewers' request to assess the impacts on the aforementioned local roadways. It is Attachment B that should be referenced with respect to the DRI review.

k. 17) Include the conceptual plan to show the main access directly to 1-75 as indicated in the land use amendments.

Applicant's response: Please see Map J-21 page 21-110.

Comment: Response is ok assuming there have been no changes to the concept plan on J-21.

Applicant's 2nd Response: The conceptual plan has remained the same.

Based on the outstanding issues listed above, particularly, the applicant is taking liberty in growth rate and pass-by/diverted trips assumptions which directly impact the LOS for the impacted roadways and

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considering the inadequacy of the most of applicant's responses to our questions and comments, the Town should find this DRI application insufficient for review at this time.

Applicant's 2nd Response: The assumptions for and the development of the growth rates and the pass-by/diverted trips were done through the proper application of established procedures previously applied in DRI applications and have been vetted and approved by the FDOT reviewers.

PART V: HUMAN RESOURCE IMPACTS

Question 24 - Housing

There are no specific comments to applicant's responses under this section.

Question 25: Police and Fire Protection

There are no specific comments to applicant's responses under this section.

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E. REVIEWING AGENCY: Environmental (HJ Ross)

1. QUESTION 8 - Permit Information

Comment was adequately addressed in the revised permit table.

2. QUESTION 10 -- General Project Description

Part 1: Specific Project Description

B. Provide a breakdown of the existing and proposed land uses on the site for each phase of development through completion of the project.

Although Table 10.1.B has been revised so that land use areas now are consistent with Map F, Table 12-1 still presents different acreage values. Please update all Tables and Figures so that they are consistent in the correct acreage amounts.

Applicant's 2nd Response: Table 12-1 has been revised as requested.

Part 2: Consistency with Comprehensive Plans

Objective 17: Land Use Compatibility and. Community Appearance

Policy 17-1: Lands designated for non-residential use shall be located in a manner which facilitates development, but does not adversely impact existing and designated residential areas.

In the response presented in the Statement of Information Needed it was stated that the "site will be buffered from adjacent residential areas by a 100-foot wide buffer/berm along the north and east." However, in the revised application it is stated as a 75-foot buffer/berm. Please clarify the width of the residential buffer.

Applicant's 2nd Response: Page 10-20 has been corrected.

Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

The application was not revised as indicated in the Statement of Information Needed.

Applicant's 2nd Response: Page 10-20 has been corrected.

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B. Describe how the proposed development will meet the goals and policies contained in the appropriate Regional Comprehensive Policy Plan.

Goal 14: Preserve, protect and restore Natural Resources of Regional Significance.

The Department of State Division of Historic Resources does not regulate or determine the significance of natural resources. Please clarify your response.

Applicant's 2nd Response: There are no Natural Resources of Regional Significance per the SFRPC Regional Policy Plan on the property.

Goal 15: Restore and protect the ecological values and functions of the Everglades Ecosystem by increasing habitat area, increasing regional water storage, and restoring water quality.

The proposed project plans to convert 113 acres of depressional wetlands and 1124 acres of mixed rangelands to 1151 acres of mixed use development and retention lakes. Please explain how the proposed project increases habitat for plant and animal species as stated.

Applicant's 2nd Response: The proposed project plans to convert 13.1 acres of marginal, isolated, grassy wetlands and an additional 124.1 acres of mixed, early successional rangelands to a mixed use development, lakes, and parkland.

A combination of mitigation strategies will serve to increase the diversity and quality of habitat available to plant and animal species. On-site wetland and littoral shelf plantings will provide habitat that did not previously exist within the project area. Marginal, grassy wetlands will be replaced by higher quality and more diversely planted wetland areas that will provide for greater cover and diversity of food sources for animal species. Littoral shelf planting will provide for on-site wood stork foraging areas that previously did not exist on the site due to a lack of standing water on the site. New ponds and lakes will provide for deeper water habitat for other species on-site. These species will also provide a new food source to birds and other species that

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depend on a diet of aquatic organisms.

Off-site mitigation within close proximity to the project area will provide additional diverse, high quality habitat that previously did not exist within the project boundaries. Low quality, grassy wetlands and rangeland will be replaced by higher quality wetlands and wetland buffers that serve as part of larger wetland mitigation areas to provide greater habitat range and available habitat corridors.

The mitigation plan will be completed under the auspices of regulatory agencies with jurisdiction over the project area. The project team will closely coordinate with these agencies to make sure that all mitigation requirements are met.

Part 4: Impact Summary

B. Summarize impacts this project will have on natural resources.

Comment was adequately addressed by the response presented in the Statement of Information Needed; however, the application should also be clarified.

Applicant's 2nd Response: Part 4: Impact Summary numbering has been corrected.

3. QUESTION 12 - Vegetation and Wildlife

B. Discuss what survey methods were used to determine the absence or presence of state or federally listed wildlife and plants.

Table 1 presented in the Statement of Information Needed should be included in the application. Table 1 presented as part of Dr. Lodge's report is a list of potential wildlife species not wildlife observed and reported for the property.

Applicant's 2nd Response: Table I from SIN #1 has been added to the ADA.

C. List all state or federally listed wildlife and plant resources observed on the site and show location on Map G.

Comments were adequately addressed by the response presented in the Statement of Information Needed.

D. Indicate what impact development of the site will pose to affected state or federally listed wildlife and plant resources.

Comment was adequately addressed by the response presented in the Statement of Information Needed.

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E. Discuss what measures are proposed to be taken to mitigate impacts to state and federally listed wildlife and plant resources.

Although we understand the low quality and potential for wood stork foraging habitat onsite, the project lies within the core foraging habitat for wood storks and the USFWS SLOPES requirements should be considered in regard to wetland mitigation and construction of littoral shelves for onsite lakes as indicated in the Statement of Information Needed.

Applicant's 2nd Response: In preparation for the habitat mapping and formal flora and fauna survey, letters requesting information regarding the presence of endangered or threatened plant and animal species, species of special concern, and the existence of critical or significant habitat for the property and surrounding area were sent to the USFWS and FFWCC. These letter responses are contained in Question 13 of the original ADA. The Species and Natural Communities Summary for Broward County and elemental occurrence records prepared by the Florida Natural Areas Inventory (FNAI) and the Florida Department of Agriculture and Consumer Services (listing of Florida's plants as endangered, threatened, and commercially exploited) were also reviewed. Lastly the listing of species identified as rare within Broward County by the Florida Committee on Rare and Endangered Plants and Animals (FCREPA) was reviewed (Sec. 26-2 Rare Species).

Generic pedestrian surveys were conducted over a period of four days (March 21-24, 2005) throughout the property. Binoculars were carried at all times while on the property and used to identify avian species flying over the property and/or foraging in the wetland areas. For three of the field days, surveys were conducted in conjunction with the wetland delineation activities. On the fourth day, the property was divided into four quadrants and two wildlife biologists spent two hours walking through each quadrant covering at least 70% of each quadrant.

In addition, Thomas E. Lodge, Ph.D., CEP, a

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world-renowned wetlands and threatened and endangered species expert, conducted a site reconnaissance, walking through all representative areas of the property, observing general conditions of the plant communities, ground surface, and hydrology, and making lists of plants and animals observed.

Incidental observations of wildlife were made while field personnel were conducting wetland determinations and threatened and endangered species surveys, as shown here in Table 1:

Table 1. Incidental wildlife observed on site.

Scientific Name	Common Name	Observations
Mammals		
<i>Urocyon cinereoargenteus</i>	gray fox	specimen
<i>Procyon lotor</i>	raccoon	scat
Birds		
<i>Egretta caerulea</i>	little blue heron	specimens
<i>Eudocimus albus</i>	white ibis	overflight
<i>Buteo lineatus</i>	red-tailed hawk	specimens
<i>Zenaida macroura</i>	mourning dove	specimens
<i>Cyanocitta cristata</i>	blue jay	specimens
<i>Mimus polyglottos</i>	northern mockingbird	specimens
<i>Cardinalis cardinalis</i>	northern cardinal	specimens
<i>Strunella magna</i>	eastern meadowlark	specimens
<i>Quiscalus quiscula</i>	common grackle	specimens
<i>Quiscalus major</i>	boat-tailed grackle	specimens

Revised Table 2. Plants Observed at the Commons Site.

Scientific Name	Common Name
<i>Amaranthus spinosus</i>	spiny amaranth
<i>Ambrosia artemisifolia</i>	common ragweed
<i>Argemone mexicana</i>	prickly poppy
<i>Asclepias curassavica</i>	scarlet milkweed
<i>Bacopa monnieri</i>	herb-of-grace
<i>Bidens pilosa</i>	Spanish needles
<i>Bischofia javanica</i>	Javanese bishopwood
<i>Boehmeria cylindrica</i>	false nettle
<i>Centella asiatica</i>	spadeleaf
<i>Cephalanthus occidentalis</i>	common buttonbush
<i>Cestrum diurnum</i>	dayflowering jessamine
<i>Commelina diffusa</i>	common dayflower

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Scientific Name	Common Name
<i>Desmodium incanum</i>	beggar ticks
<i>Dichondra caroliniensis</i>	Carolina ponysfoot
<i>Dioscorea bulbifera</i>	air potato
<i>Eclipta prostrata</i>	densiflorum
<i>Eleocharis interstincta</i>	knotted spikerush
<i>Ficus aurea</i>	strangler fig
<i>Hydrocotyle verticillata</i>	whorled marshpennywort
<i>Ludwigia octovalvis</i>	Mexican primrose willow
<i>Melilotus albus</i>	white sweetclover
<i>Momordica charantia</i>	balsampear
<i>Parthenocissus quinquefolia</i>	Virginia creeper
<i>Phyla nodiflora</i>	creeping Charlie
<i>Ptilimnium capillaceum</i>	mock bishopsweed
<i>Pluchea carolinensis</i>	cure for all
<i>Polygonum</i> sp	smartweed
<i>Pontederia cordata</i>	pickerelweed
<i>Psychotria nervosa</i>	wild coffee
<i>Ricinus communis</i>	castorbean
<i>Sambucus nigra</i>	American elder
<i>Schinus terebinthifolius</i>	Brazilian pepper
<i>Sida acuta</i>	common wireweed
<i>Solanum capiscoides</i>	soda apple
<i>Spermacoce assurgens</i>	woodland false buttonweed
<i>Spermacoce verticillata</i>	shrubby false buttonweed
<i>Sphagneticola trilobata</i>	creeping oxeye, wedelia
<i>Thelypteris kunthii</i>	widespread maiden fern
<i>Terma micranthus</i>	nettle tree
<i>Vinca minor</i>	common periwinkle

4. QUESTION 13 – Wetlands

A1. Acreage and percentage of property which is currently wetlands.

Comment was not addressed; therefore, text still needs to be clarified to indicate that the wetlands are depicted on Maps F, G and G1. Map D does not include wetlands as presented in the text.

Applicant's 2nd Response: Please see revised text.

A8. If available, provide jurisdictional determinations.

At the time of the August 9, 2005 submittal, the wetland delineation was being reviewed by Broward County EPD. Please provide a status of this review.

Applicant's 2nd Response: The project team conducted field investigations with J. Kent

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Edwards of BCEPD between 15 April 2005 and 10 June 2005 to verify all delineated wetland lines within the project area. As a result of these field investigations, wetland lines were adjusted per the request of Mr. Edwards. A revised wetland map is attached to this response.

5. QUESTION 14 – Water

C. Describe the measures which will be used to mitigate (or avoid where possible) potential effects upon ground and surface water quality, including any resources identified in Sub question A.

1. Groundwater

Comment was adequately addressed by the response presented in the Statement of Information Needed.

6. QUESTION 20 - Solid Waste/Hazardous Waste/Medical Waste

BI. Please specify the extent to which this project will contain laboratories, storage facilities, and warehouse space where hazardous materials may be generated or utilized.

Comment was adequately addressed by the response presented in the Statement of Information Needed; however, the application should also be clarified.

Applicant's 2nd Response: See revised page 20-2.

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F. REVIEWING AGENCY: Housing and Community Development - Davie

The subject site is located at the northeast quadrant of Arvida Parkway and 1-75 in western Davie, and contains 152+- acres. While the site is not located within one of the three (3) designated CDBG Target Areas, it is in close proximity to the Western-Orange Park Target Area located between 130th and 136th Avenues, north of 14th street and south of State Road 84. This Target Area contains nine (9) mobile home parks constituting a total of 1,326 mobile homes. The majority of the individuals and families housed in these units are low to very low income.

As you are aware, the DRI requires the preparation of a "Housing Analysis" which identifies an adequate supply of "affordable housing" for the very low, low, and moderate income level jobs (workers) expected to be generated by the project. That methodology requires that the housing supply be within either a 10-mile radius or a commutation time, at peak hours, not to exceed 20 minutes, or whichever is less.

I am concerned that the subject "Housing Analysis" was prepared in accordance with the "East Central Florida Regional Planning Council Methodology" as amended in 1999, which I do not believe provides accurate data for this project (or any project) in Davie. As an example:

- They exclude homeowner and/or condo fees. This is not realistic, since the majority of the "affordable for sale units" in Davie are not single-family homes, but are Condos and/or Townhomes. The added H/OIA fees places an additional financial burden on working families.
- The projected utility *costs are to be based on* the HUD 52667, which *is used for* subsidized housing, and which is based on the tenant paying only 30% of the utility cost. Therefore, this does not reflect the actual market cost for utilities.
- This method does not take into account the fact that almost one-third of Davie's housing stock is comprised of mobile homes.

Applicant's 2nd Response: As indicated in the response to the first round of sufficiency comments with respect to the first two points above, these assumptions were agreed to at the pre-application conference in which the Town participated and have been standard for numerous other ADA's processed by the South Florida Regional Planning Council and the Department of Community Affairs in recent years. With the respect to the third point, we re-iterate that no mobile homes have been included in the estimate of available supply as requested by the Town.

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The scale of the proposed Commons development i.e., 1.1 million GSF retail, 885,000 GSF office, and 300 hotel rooms, is significant. It is estimated that the project will generate 5,950 new jobs, of which 2,169 - 2,454 new workers will require workforce housing (depending on the calculation method utilized i.e., the bell curve or the control number method). This represents between 36% and 41% of the total jobs to be created.

They also indicate *that, the average wage of all workers at the Commons is estimated to be \$40,000<*. Their analysis claims that there is a supply of Affordable Workforce Housing exceeding the estimated demand; and, I strongly disagree with this assertion. Also, if you look at the study undertaken by their consultant, you will find that the "available" units cited are not located within the Town of Davie.

Applicant's 2nd Response: It is again noted that the Housing Supply Area includes the Town of Davie and extends well beyond the boundaries of the Town of Davie. The Housing Supply Area includes available housing within the Town of Davie as well as the balance of Housing Supply Area.

It must be noted that the inflated real estate market in South Florida (indeed all of Florida) has given rise to an "affordable housing crisis"; and, all municipalities are struggling to find Affordable Workforce Housing for their local job markets. The current median price for a home in Broward County is \$361,100, which is hardly affordable to the average working family.

Applicant's 2nd Response: The figure quoted pertains solely to single-family homes. The preponderance of the available for-sale supply is comprised of condominium units for which the average price is in the low \$200's.

As home prices soar, is getting harder to attract, and retain jobs at all salary levels here in South Florida. The Town of Davie itself is having trouble attracting entry level Police Officers and Firefighters because the cost of housing in Davie and the surrounding areas is so high. Representatives from NOVA Southeastern have also indicated that they are having trouble attracting and retaining Professors due to the lack of affordable Workforce Housing in the area.

It is well known that the Broward County School Board is likewise having trouble attracting Teachers, and local Hospitals are having trouble attracting Nurses due to the current affordable housing crisis. The Davie Economic Development Council and the Chamber of Commerce members have also advised me of similar problems with their workforces'.

Applicant's 2nd Response: The issue of affordable housing is being created by an environment in which salaries are not keeping up with the housing market. However, our study indicates available supply as per the agreed upon methodology for this study and numerous other DRI's reviewed by the SFRPC.

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A recent study commissioned by the Broward Housing Partnership found that 75% of all Broward households earn less than \$77,000 per year; yet, they would need to earn \$91,000 to afford the current median price of \$361,100 for a single-family home. Only 50% of all Broward households earn \$50,000, which is needed to purchase a median-priced Condo @ \$193,000.

Applicant's 2nd Response: This paragraph implicitly assumes that everybody should be able to live in a single-family home. Realistically, people will live in a variety of housing types.

Over the past year, most households have been priced out of the housing market, because of the unprecedented growth in real estate prices. Major gaps exist between what a single-family home costs, and what most families can afford to pay throughout Broward County.

Affordability Gap - Broward Housing Partnership Study				
Housing Type	Median Price	Income Required		
Single Family Homes	\$361,100	\$90,720		
Condominiums	\$193,000	\$50,500		
Rental Apartments	\$1,222 monthly	\$45,000 (2-Bedroom)		
Occupation	Median Wage	Median Price	Home Affordability	Financing Gap
Nurse (RN)	\$50,362	\$361,100	\$192,764	-\$168,336
Police Officer	\$49,188	\$361,100	\$179,440	-\$181,660
School Teacher	\$39,876	\$361,100	\$149,983	-\$211,117

The recent phenomena of rental apartments converting to condominiums, and mobile home parks converting to townhomes, has reduced the number and type of housing units available to low/moderate income families and the majority of the Town's existing workforce.

Thus, if we can not meet the housing needs of Davie's existing workforce, how can the Commons assert that there is sufficient housing that is "affordable" to the 2,169-2,454 new lower-income employees to be generated by this project?

Applicant's 2nd Response: This paragraph continues to assume that everybody working at The Commons will live in Davie. The City of Ft. Lauderdale and Hollywood are the only two Broward County Cities in which more than 30 percent of their residents also work within the City. Applicant has followed the criteria agreed to at the methodology meeting and the criteria that has been used by numerous DRI reviews prior to this one.

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Since the proposed Commons project was envisioned, there are fewer affordable units available. The Town was recently notified by seven (7) rental apartment complexes, of their intent to convert to condominiums. If they all move forward with this process, 889 affordable market rate rental apartments will be lost, and these Davie households/families will be displaced, as it is highly unlikely that they will be able to qualify for, or afford to purchase, their current unit when it is converted to a condo.

Hurricane Wilma also had a devastating affect on the Town of Davie's housing stock, given that the Town lost over 985 structures:

- 832 Mobile Homes,
- 51 Single-Family Homes,
- 33 Townhomes/Condos, and
- 55 Apartment Units

It has been extremely difficult to rehouse these displaced Davie residents, as there is little to no comparable affordable replacement housing available to them. Many of the 832 mobile home residents that were displaced by Wilma were subsequently rehoused in lower-cost rental units. Thus, the rental vacancy rate is now extremely low; and, many landlords are capitalizing on the demand for units by raising their rents.

The significant contribution that the Commons development will make to Davie's tax base is very impressive, as are the 5,950 new jobs that would be created, 2,454 of which will serve very-low, low, and moderate income individuals.

I am pleased that the developer has committed to holding "job fairs" in the CDBG Target Areas where the majority of Davie's lower-income and minority residents live, as they would most likely benefit from the new jobs to be developed.

The developer has also committed to providing a transportation link from Eastern to Western Davie, so that residents living in the Potter Park, Palma Nova, and Driftwood Target areas will have transportation to and from jobs at the proposed Commons site. The individuals living in the Western CDBG Target Area i.e., the Orange Park Area should also be given the opportunity to benefit from these new jobs.

Given the magnitude and impact of the proposed Commons project, it is my opinion that the development would exacerbate the current affordable housing crisis, unless *they* integrate a residential component into their project i.e., construct sufficient new affordable "workforce housing" units to meet the needs of the lower-income workforce that would be created by this project. If this is not possible, then the developer should contribute funds into a designated Affordable Workforce Housing Trust Fund in Davie, so that an equivalent number of units can be constructed off site at appropriate locations. Please note that for the purposes of this discussion, mobile homes are not to be factored into this equation.

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Applicant's 2nd Response: Applicant remains committed to its funding of local shuttle service which will provide another link between the jobs created by The Commons and the employee housing in Davie. Applicant has conducted its affordable housing study in accordance with the methodology agreed upon with the SFRPC. The study concludes that sufficient affordable housing exists within the Housing Supply Area. See Applicant's response to Question 24, Housing.

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G. REVIEWING AGENCY: Police Department - Davie

In response to the impact assessment for the Commons project for police services, we have requested funding for eight (8) Full time police officers. This would allow adequate patrol services for the Commons proposed site and the surrounding areas that would be impacted by the development of the Commons.

Applicant's 2nd Response: Applicant is in receipt of the Police Chief's comment.

H. REVIEWING AGENCY: City of Weston

The City of Weston (the "City") recently received the response to the First Statement of Information Needed (the "Response") by The Commons (the "Applicant"). After careful review and analysis of the Response, the City continues to maintain its position that this large regional shopping center, hotel and office complex, as proposed, would have a significant negative impact on the City and the region as a whole. Please find attached the City's response to the Applicant's Response.

1. TRAFFIC

- a. The City of Weston provided the following comment as part of the First Sufficiency Review (Comment #8 Weiss Serota):

Inappropriate Single-Phase Transportation Analysis

The DRI/ADA traffic analysis was conducted as a single-phase analysis with a project buildout of 2013. However, as indicated in Table 11-3, Schedule of Absorption by Use, the overwhelming majority of the development program, specifically 1,000,000 s.f. of commercial use and 285,000 s.f. of office use, is proposed to be constructed by the third year of the buildout timeframe. This represents approximately 32,637 gross daily trips, and 3,207 gross P.M. peak hour trips, or approximately 82% of the total daily project trip generation, and approximately 78% of the total P.M. peak hour project trip generation, respectively. Given the fact that approximately 80% of the development trip generation impact will be added to the transportation within the first three years of the 8-year development program, a single phase analysis at the end of the 8-year buildout timeframe would appear highly inappropriate.

The presentation of a single transportation analysis for the year 2013 buildout date obviously omits important benchmarks of project traffic impact during the interim years, and also unrealistically portrays the project traffic impact as occurring as a single snapshot in time several years after the majority of the project's impact would have actually occurred. By "frontloading" the majority of the trip generation impact several years in advance of timeframe actually analyzed, the net effect is that the cumulative project impact is "softened" in the final buildout analysis, while the more

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substantial relative impacts occurring in earlier years are never examined. The City must therefore object to the single-phase analysis approach due to the fact that significant milestones of traffic impact created at key project absorption phases will not be analyzed during interim years. This type of analysis results in a misleading omission of traffic impact within the short-term and mid-term planning horizons, and leaves important LOS and necessary improvement determinations unanswered. It is recommended, based on the development absorption presented in Table 11-3 of the ADA, that a year 2008 or 2009 (Phase 1) analysis be added, at a minimum, to the Year 2013 (Phase 2/Buildout) analysis provided in the current ADA.

The Applicant's response provided as part of the First Round Sufficiency Response submittal continues to be insufficient, and is actually somewhat self-contradictory. The response states that there is "no 'phased' development (of the project) that would exert a traffic impact without the appropriate mitigation." If the yearly absorption presented in the ADA is actually what is intended, then the Applicant's response is factually incorrect - according to the ADA, approximately 80% of the traffic would be loaded on the network by 2009 with only the interchange improvements being in place at that time. LOS "F" conditions would exist on many of the other impacted links without mitigation until Year 2013.

Applicant's 2nd Response: The comment is based on an incorrect understanding of the mitigation commitment. The comment states that development could occur prior to mitigation of impacted links with just the interchange in place. This is not correct. The developer will complete the interchange modifications and other roadway or intersection mitigations required by the development order before development trips are permitted to be generated from the site other than construction traffic.

- b. The City of Weston provided the following comment as part of the First Sufficiency Review (Comment #9 Weiss Serota) :

Inconsistency with Local Comprehensive Planning

The DRI application continues to show no public access to existing Town of Davie public rights-of-way, which has been previously explained by the applicant as essentially a "policy constraint" by the Town of Davie which would otherwise directly, or indirectly, violate the Town's Comprehensive Planning objectives relative to preserving the area's rural community lifestyle. The City of Weston respects the Town's rural lifestyle planning objectives and acknowledges the reasoning why the Town would not support direct connectivity to the project from its adjacent collector roadways. However, for the very same types of policy reasons that the Town of Davie objects to direct connectivity to the project, the City strongly objects to the ADA's presumption that additional roadway and intersection widening along the Weston Road/Arvida Parkway corridor that would be needed to offset the Town's policy

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constraint would be approved and permitted by the City of Weston. The City of Weston's Comprehensive Plan identifies the final buildout condition of the Weston Road/Arvida Parkway corridors to be what it is today, and the improvements proposed by the Applicant would require City of Weston Comprehensive Plan amendments that would be strongly opposed by the City of Weston. Such improvements also introduce a myriad of multi-agency permitting issues in terms of traffic operations, South Florida Water Management permitting, drainage, community impacts and available right-of-way.

It is also important to note that the decision making process involved in the design of the Weston Road/Arvida Parkway corridor improvement program was based on area-wide modeling that was consistent with the surrounding municipalities' adopted Future Land Use Plans, which did not in any way reflect the intensity of development proposed by this DRI application, or the corresponding proposed major infrastructure changes to the surrounding transportation system. The City of Weston's Comprehensive Plan Transportation Element adequately addresses transportation needs based on the City of Weston's Adopted Future Land Use Plan, as well as the adopted Future Land Use Plans of the Town of Davie, Town of Southwest Ranches and the City of Sunrise. This DR/ application and associated transportation improvements sharply contradict decades of low-density land planning and low-capacity roadway planning undertaken by the Town of Davie in this area. By allowing the DRI to go forward, the application would contradict the Town's own historic and recent comprehensive planning decisions, while at the same time requiring the surrounding municipalities to adopt changes to their comprehensive plans to accommodate the additional traffic burden. Because the DRI application so starkly contradicts the past and present comprehensive planning activities of the Town of Davie and the surrounding municipalities, the City asserts that the DR/ application should not move forward until a consistency determination is made.

The Applicant's response provided as part of the First Round Sufficiency Response submittal continues to be insufficient, and does not address the key issues raised by the comment. The Applicant's response indicates that the "DRI traffic distribution was developed using the Broward County 2030 Long Range Transportation Plan which is a countywide model with external assignments to adjoining counties." The point of the City's comment was not that the traffic modeling or trip assignment methodology was inappropriate, but rather that the project itself, the land use, the new 1-75 interchange modification, and the surface roadway improvements required to support the project are in stark contrast to the existing Town of Davie and City of Weston Comprehensive Plans and are certainly not consistent with the Year 2030 Broward County Long Range Transportation Plan as none of the DRI related improvements are shown on any of these Plans. Furthermore, since Cost Feasible Project #30 on the Broward 2030 Cost-Feasible Plan is to widen Griffin Road from 4-lanes-divided to six-lanes-divided between 1-75 and Flamingo Road, "consistency" with the Long Range Plan would be for the DRI to further utilize the six-lane improvement to Griffin Road east of 1-75 to serve the project rather than

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disregarding it in lieu of a new interchange extension at Royal Palm Boulevard (old Arvida Parkway).

Applicant's 2nd Response: We agree that neither this project nor the interchange modification is a part of the current 2030 LRTP requiring both a LUPA and an amendment to the 2030 LRTP which are in progress through the filed LUPA and the pending IMR process. We respectfully disagree that the suggested use of Griffin Road would satisfy consistency with the master plan in the context of a DRI or IMR since consistency relates to the interchange facility and plan as well as potential development capacity. It is impractical to directly access Griffin Road in any reasonable access scenario since it is not contiguous to the site and would require the use of local roads that have been downgraded or removed from the Town of Davie Comprehensive Plan (i.e. Orange Drive) to prevent future expansion or widening of those facilities. The current proposal is therefore consistent with the future roadway plans for western Davie.

- c. The City of Weston provided the following comment as part of the First Sufficiency Review (Comment #10 Weiss Serota):

Violation of FDOT Policy

The DRI application proposes to access 1-75 via a new interchange connection that will not serve any existing public roadway facilities, and is therefore inconsistent with FDOT Policy, including Rule Chapter 14-97, specifically section 14-97.003(2)(a), which indicates that "In addition to meeting the spacing standards, new interchanges to the Interstate Highway System shall be to other public roads only and warranted based on engineering analysis of the operation and safety of the system." Despite previous objections from the City of Weston, the DR/ application has been submitted with only access connections Arvida Parkway and the 1-75/Arvida Parkway interchange. The applicant has proposed to dedicate internal project roadways as "public roadways," however these "public roadways" will not connect to other currently existing Town of Davie public roadways.

The Applicant's response provided as part of the First Round Sufficiency Response is answered from a very outdated context and therefore could be misleading, or at least inaccurate relative to the Town of Davie's record on the subject for the past twenty years. The Applicant's response states "...when 1-75 was originally planned and evaluated, the interchange was anticipated to extend easterly and right-of-way for that was purchased. As such, the completion of the east leg of the interchange is not a new concept." Although it is logical that the eastern leg of the interchange was envisioned to ultimately be constructed when the interchange was first planned, that idea has long been abandoned, and has

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actually been staunchly opposed by the Town of Davie in order to protect and sustain the rural character of the surrounding neighborhoods east of 1-75. The Town's public record during the past twenty years pertaining to the extension of the interchange, and any widening or capacity improvements to either the SW 14'h Street overpass or the South Post Road overpass has consistently been one of strong opposition. The Town, as a matter of policy, has strongly opposed any significant capacity improvements across 1-75 that could potentially increase east/west traffic through the residential neighborhoods adjacent to the DRI. The Town has consistently opposed overpass widening and new connections in this area during the Long Range Transportation Plan updates, as well as during the 1-75 Master Plan process. To say that the extension of 1-75 @ Royal Palm Boulevard (Old Arvida Parkway) is not a new concept would only be an accurate statement if one went back in time to the 1970's. The fact that the Town of Davie is only considering allowing such an extension to the interchange with the stipulation that it cannot connect to Shotgun Road is further evidence of their general opposition to a true extension of the interchange into their western communities.

Applicant's 2nd Response: Comment is noted. Consistent with the narrative in the comment regarding the historical position by the Town of Davie to not connect the interchange easterly to existing roadways, the proposed plan does not connect to any existing roads.

- d. The City of Weston provided the following comment as part of the First Sufficiency Review (Comment #11 Weiss Serota):

Violation of FOOT Policy

Rule Chapter 14-97.003(2)(a)3. requires that an engineering study be prepared by the applicant, documenting why existing interchanges cannot, be utilized, why alternative transportation improvements are not economically, environmentally or socially acceptable and how the new interchange will not adversely impact the safety and operation of adjacent interchanges. At this time, the applicant (1) has not produced formal documentation as to the specific Town of Davie policy, regulation or other regulatory action that specifically prohibits access to Shotgun Road and/or other Town roadways, (2) has not provided an analysis, study or documentation as to why alternate or existing interchanges cannot be utilized, and, (3) has not demonstrated or provided documentation that the new interchange connections will not adversely impact adjacent intersections or have an adverse impact on operation safety of the adjacent interstate system. The City asserts that since the pre-requisite requirements for allowing the project's access connection to the interstate system to be used in the DRI analysis have not been met in accordance with Rule Chapter 14-97, the DRI application should not be allowed to proceed until these pre-requisite studies have been submitted. It is the City's position that the DRI application is pre-mature and insufficient at this time until these pre-requisites studies have been reviewed, and a determination has been made that the access is in compliance with Rule Chapter 14-

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97. This is not a newly raised issue, and should have been resolved prior to the submission of the ADA.

The Applicant's initial ADA submittal and resubmittal materials continue not to address this issue. The Applicant's response provided as part of the First Round Sufficiency Response submittal is also non-responsive in the sense that it is addressing issues that are not raised by the comment. The above comment from the City of Weston is essentially questioning why no alternative access plan and corresponding transportation analysis was performed other than the proposed single ingress/egress point at the proposed interchange extension. The Applicant has consistently made statements citing the political obstacles to alternative access plans, but such statements alone do not satisfy the analysis requirements of Rule Chapter 14-97.003(2)(a)3. The City of Weston acknowledges that such an analysis of alternative access scenarios introduces certain politically uncomfortable issues for the Town of Davie, however, the DRI and IMR process is equally unacceptable to the City of Weston when the access option most unfavorable to the City of Weston is the only one being analyzed. Furthermore, the City of Southwest Ranches has initiated, in cooperation with FDOT, the MPO and State Representatives, the urbanization of the 1-75 Q Griffin Road interchange, which will be supplemented with federal funds. In light of these improvements, it seems even more incredulous that this DRI application would be allowed to proceed further without the project considering alternative access to the existing 1-75 off Griffin Road interchange. The City of Weston will continue to strongly object to the ADA moving forward until other access scenarios other than the proposed single access configuration are analyzed.

Applicant's 2nd Response: Preliminary alternative evaluations were performed including a design study for a collector-distributor (CD) road system to connect to the SW 14th Street Bridge. This was informally reviewed with the FDOT on several occasions and found to have minimal traffic benefits in relation to substantial impacts to the drainage systems, require massive construction, and introduce conflicts with the potential future Busway along the east side of I-75. Consequently, the concept was dismissed. The FDOT has requested that the MLOU for the IMR evaluate the proposed configuration as well as an urban diamond as an alternative. The IMR will also require evaluation of the impact of access to Shotgun Road for the current zoned use (as was done for the LUPA) as part of the "no build" alternative.

Use of the local streets as an alternative for exclusive access to The Commons is not feasible by inspection. The approximate 32,212 daily trips generated by The Commons cannot be accommodated on

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Shotgun Road, the only local road that is directly accessible to the project. The Town of Davie Comprehensive Plan maintains this as a two-lane collector road. The existing approximate 7,100 daily trips (2004) when combined with half of the project trips (assuming a hypothetical 50/50 split in north-south traffic) would add an approximate 16,100 daily trips to each roadway segment north and south of an assumed access point increasing the daily traffic demand to 23,200 vehicles. This exceeds the 10,000 vehicle daily capacity assigned to this road by Broward County by an approximate 132%. Further, there is no direct or reasonable access to regional roadways such as I-75 from the local roads at the east of the site. Given these obvious limitations, primary access from these local roads for such a development is an obvious fatal flaw from a marketing as well as traffic perspective. Further evaluation of this alternative cannot reasonably be expected to result in a viable circulation plan. Further impediments to the use of local roads to the east are the multiple and systematic reductions in right-of-way or the removal of Broward County Trafficways over many years including sections of SW 14th Street, SW 36th Street, SW 26th Street and Orange Drive.

The use of the Griffin Road and I-75 interchange is impractical for any realistic direct access scenario since it is located 1.8 miles from the site. Protection of the access management requirements under Rule Chapter 14-97 F.A.C. will be addressed by the FDOT as part of the Interchange Modification Report (IMR) process, which will include reviews by the FHWA as a member of the District Interchange Review Committee (DIRC) in addition to the FDOT.

- e. The City of Weston provided the following comment as part of the First Sufficiency Review (Comment #12 Weiss Serota):

Violation of FHWA Policy Guidelines Per 23 CFR:

It is in the national interest to maintain the interstate System to provide the highest level of service in terms of safety and mobility. Adequate control of access is critical to providing such service. Therefore, new or revised access points to the existing interstate System should meet the following requirements:

- (1) The existing interchanges and/or local roads and streets in the corridor can neither provide the necessary access nor be improved to satisfactorily

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accommodate the design-year traffic demands while at the same time providing access intended by the proposal.

The current interchange access proposal that is relied upon by the DRI application is in direct conflict with this federal requirement. The DRI-proposed access modifications are intended to create a new half-interchange with new and modified on/off ramp connections for the sole purpose of providing access to a new privately-owned commercial center. Connection via this new half i-75 interchange and connections to and from the west via Arvida Parkway through the City of Weston are intended to avoid the politically unpopular alternative of directly accessing the project through existing public Town of Davie arterial and collector roadways. The fact that the applicant wishes to avoid a politically charged option to access the project through the existing public roadway system does not mean that the existing public roadway system could not accommodate, or partially accommodate the necessary access. The applicant is essentially requesting that the national interstate system to be compromised in order to avert political outfall from one of the affected municipalities rather than utilizing, or partially utilizing the existing local roadway network to serve this private development. The DRI application, by maintaining this stance, is likely to appease some constituents of the governing agency issuing the development order, but has an adverse impact on the majority of the surrounding communities, as well as all of the tens of thousands of drivers who travel I-75 everyday.

Also:

(4) The proposed access connects to a public road only and will provide for all traffic movements

The current interchange access proposal is also in direct conflict with this federal requirement. The proposed east leg connection at the I-75/Arvida Parkway interchange will not connect to any existing public roadway. The applicant has stretched the interpretation of this requirement by proposing to dedicate the project loop road for public use, however, the project loop road will not represent a public through-street that will connect to any other existing or proposed roadways within the Town of Davie. In essence, this is a publicly-dedicated cul-de-sac to an interstate interchange that will serve an isolated private development.

(5) The proposal considers and is consistent with local and regional land use and transportation plans.

Again, the current interchange access proposal is in conflict with this federal requirement. The DRI is not currently consistent with either the Town of Davie or Broward County Comprehensive plan Future Land Use Elements. The proposed interchange connections are also not consistent with the Broward County Long Range Transportation Plan or the FDOT I-75 Master Plan. In fact, the applicant's proposal re-introduces many of the same access and traffic congestion concerns that were brought forth by the Town of Davie during the I-75 Master Plan public involvement

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process.

The Applicant's response to these comments is essentially a restatement that the FDOT District Interchange Review Committee (DIRC) previously concluded that there are no statutory or regulatory impediments to the DRI's IMR request as currently proposed, that the extension of the interchange to the east is not "a new concept", and that the non-inclusion of the interchange modifications in current plans is not necessarily an indicator that the modification plans are not without merit.

The City of Weston's position is that it would be highly unlikely that the DIRC would have had sufficient resources and/or time to evaluate the cumulative impacts and possible repercussions of all of the policy issues associated with this DRI application to make such a definitive conclusion. The fact that the IMR may be considered approvable on a technical basis, and that no single policy issue has apparently stopped the IMR process from moving forward at this time does not necessarily mean that key policy issues have not been circumvented or not adequately addressed.

Applicant's 2nd Response: The comment makes statements relative to the resources and conditions under which the District Interchange Review Committee (DIRC) rendered their initial guidance. Respectfully, we can not respond on behalf of the members of the DIRC (FDOT and FHWA) but this initial guidance is what enables the process to move forward including the identification of all cumulative impacts such as those referenced in the comment for detailed review and approval considerations as part of the Interchange Modification Report (IMR) process.

- f. The City of Weston provided the following comment as part of the First Sufficiency Review (Comment #13 Weiss Serota) :

Inconsistency with Broward Trafficway Plan Amendment Justifications and FINS Policy

In the area immediately surrounding the DRI, the Town of Davie has systematically removed and reduced segments from the Broward County Trafficways Plan, which is the County's master thoroughfare plan for the protection of public rights of way. For example, the closest north/south roadway immediately east of the project, SW 154 Avenue (Shotgun Road), is no longer on the Trafficways Plan, and Orange Drive located southeast of the project, was also removed from the Trafficways Plan at the request of the Town of Davie. The justification for the removal of these thoroughfare segments was based on the relatively low level of travel demand associated with the future land use of this area remaining low-density residential consistent with the Town's rural lifestyle initiative. The Town therefore has comprehensively removed carrying capacity from the Town of Davie public roadways within the DRI impact area, but is now being asked to approve a DRI that is physically located within this same area but for

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which all the project traffic will have to be accommodated by the Florida Intrastate Highway System (FIHS) or on remaining Trafficway roadway segments predominantly located within the City of Weston, rather than within the Town of Davie. Local access for a large private development, which should be attainable via existing arterial or collector roadways, is therefore being inappropriately assigned to new, unnecessary connections to the FIHS system in violation of FIHS policy. Because the DRI proposal contradicts the previous justifications for segment removals from the Broward County Trafficways Plan, the City objects to a DRI traffic analysis that considers only the proposed single-access point without evaluating other access alternatives.

The Applicant's response provided as part of the *First Round Sufficiency Response* submittal indicates that "Improvements recommended for implementation are not believed to be in conflict with the City's Comprehensive Plan." The City of Weston asserts that significant further improvements to the Weston Road corridor would be in conflict with the City's Transportation Element. The DRI access plan also encourages the use of the interstate system for short length trips (e.g. drivers accessing the 1-75 @ Griffin Road interchange in order to travel 1/2 mile on northbound 1-75 to the 1-75 @ Royal Palm Boulevard to access the project) which is in conflict with many local, State and regional policies.

Applicant's 2nd Response: The Commons is a regional development with regional trip lengths, which are appropriately located near or along primary arterials. The fact that some trips may exit at the next local interchange does not change that characteristic since this happens at any regional facility along an interstate highway. We would agree with the stated concern about local trips on an interstate highway if it applied to a development such as a local supermarket, which is not the case in point. In fact, 49% of project trips travel beyond a 5-mile radius from the site of The Commons further supporting its location at an interchange on a primary arterial highway. The proposed improvements along the Weston Road corridor will bring the future level of service closer to what is required by the City of Weston's Comprehensive Plan than will be the case if the improvements are not made and The Commons is not built.

2. SAFETY

- a. The City of Weston provided the following comment as part of the First Sufficiency Review (Comment #14 Weiss Serota) :

Insufficient Analysis of Emergency Access/Police & Fire Protection

The proposed DRI application is proposed to generate almost 40,000 daily driveway trips (ref. DRI/ADA Table 21.B2), however, the project is proposed to have its only access via an interstate interchange. Although the project has proposed emergency-

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only egress capability from SW 154 Avenue (Shotgun Road) for emergency vehicles only, there is no alternative public access route other than through the interchange. A serious crash or other incident on mainline I-75 in the vicinity of the interchange, or on Arvida Parkway within the interchange could cripple emergency response from the City of Weston, which will in most cases be the primary responder for fire-rescue incidents based on Town of Davie fire-rescue capabilities in the area. A major incident at the project's entrance at the interchange could keep thousands of drivers stranded internal to the project, and conversely hamper inbound and outbound emergency response. Should incidents and congestion continue to increase on this section of I-75, particularly with the proposed project, safe and adequate ingress and egress to the project could represent a potential public safety threat, and local officials may request FOOT to solve a situation that it did not create. This same concern was echoed by the Town's own Fire-Rescue Division which, at the September 14, 2005 DRC meeting for the project indicated that they "have access problems to the site...with approximately 30,000 + vehicles per day...with no other access other than to the interstate, is a problem."

Since the DRI application continues to propose only a single public access to the interstate/Arvida Parkway interchange, and this sole access configuration has already been recognized as a potential problem by several agencies, including the Fire-Rescue Departments of both the Town of Davie and the City of Weston, then the DRI application should provide a transportation analysis demonstrating the ability of the proposed access to accommodate reasonably foreseeable traffic incidents on adjacent mainline I-75 and at the project's connection to the Arvida Parkway interchange, which are both known to have a substantial serious crash history. Simulation analysis recently undertaken by the City of Weston indicates that a serious crash on northbound I-75 north of the project (with the project) could introduce vehicle delays through the intersection of Weston Road @ Arvida Parkway in excess of 36 to 47 minutes for some directions presuming that vehicles are not gridlocked and have the ability to detour. Fire-Rescue units responding to the northbound I-75 incident from Weston would then likely have to reroute their response to Griffin Road to the south and then travel north, or divert to SR-8411-75 to the north and then redirect to I-75 southbound. It is not known how emergency response to the DR/ itself would be handled under this situation.

Since emergency access is perhaps one of the most critical issues associated with the DRI application as proposed, the City asserts that the DR/ should not be deemed sufficient until the application includes a comprehensive analysis of emergency response capability to and from the surrounding transportation network. The response provided in the ADA to Question 25 - Police and Fire Protection is grossly inadequate for the magnitude of employees and patrons that will be located within such a large isolated parcel, and for the magnitude of vehicles and drivers potentially impacted on the surrounding interstate and other surface roadways. The response in no way satisfies the requirement of addressing "non-facility-related problems", which has perhaps been the most discussed problem with the project. The applicant's response to dedicate land for an on-site fire-rescue station also in no way provides a satisfactory

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assessment of the potential emergency personnel, resources, equipment, apparatus, communications and response times needed to respond to a major incident within or adjacent to the site, nor does it provide documentation as to how these collective resources will be provided, nor does it provide an outline as to how such resources would be implemented to respond to an incident that exceeded the individual capabilities of the on-site station.

The Applicant's response provided as part of the *First Round Sufficiency Response* submittal continues to be insufficient. The Applicant's response simply states "An emergency access and traffic management plan has been developed to provide access for emergencies and to manage typical traffic events or incidents." The Applicant is requested to provide the City of Weston with the referenced emergency access and traffic management plan.

Applicant's 2nd Response: The emergency access and incident management plan is attached as **Exhibit H1 (SIN2)**. This plan depicts and describes the manner in which traffic will be managed during temporary blockages that could occur during incidents or crashes that can reasonably be anticipated on any urban arterial roadway system.

- b. The City of Weston provided the following comment as part of the First Sufficiency Review (Comment #15 Weiss Serota) :

Post-Disaster Access Concerns

The recent aftermath of hurricane Wilma re-emphasizes the importance of adequate transportation access to major developments, both in terms of emergency response and debris removal. Because of the potential for widespread power outages, including widespread outages of traffic signals at major intersections and interchanges, the availability of alternate routes becomes vitally important. By virtue of this project's single access point, the project places itself in the precarious position of being totally isolated from the surrounding transportation network after a hurricane. Also, by virtue of its single access, the often difficult operations of debris removal, repair and restoration, must now all take place through a major interstate interchange, which will already likely be heavily burdened after a storm by reduced capacity and congestion. Although the likelihood of immediate emergency response is diminished due to limited residential uses within the project, all follow-up restoration and debris removal associated with the project will have to occur through the interchange, unnecessarily impacting a critical transportation node, and potentially hindering more urgent emergency operations through the interchange. This is further justification as to why a single access point for a private development onto the interstate system is inappropriate, and not in the best interest of the motoring public.

The elimination of residential uses greatly minimizes post-storm issues for the site. However, there are other post disaster access concerns that must be addressed. The proposed development would generate almost 40,000 daily

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driveway trips, which equates to about 10,000 daily visitors to the proposed development. Given that there is only a single access point proposed for the development, please explain how there would be adequate post disaster access in the event a fire or terrorist attack occurs within the development.

Applicant's 2nd Response: The daily trips or driveway movements into and out of the site are incorrectly stated. The total entering and exiting traffic including the pass by trips total 18,266 inbound and 18,266 outbound movements. Of these, 2,160 inbound and 2,160 outbound trips are already a part of the background traffic stream on I-75 or the interchange (pass-by) and not project generated. Thus, net new trips generated constitute 16,106 inbound and 16,106 outbound trips for a total of 32,212 vehicle movements not 40,000 as stated (See Table 21.B2). Assuming all vehicles have at minimum a driver, the daily visitors are at minimum 16,106 not 10,000. Post disaster concerns as related to hurricane cleanup should recognize that fashion retail and entertainment are not essential services needed by area residents in a post disaster situation. There are no specific criteria relating to traffic planning that need to be met with regard to potential terrorist attacks other than responses that will be initiated by local and federal law enforcement agencies. Two access points are proposed for emergency access by ambulance and fire equipment; one via the I-75 interchange and the other via Shotgun Road.

3. ENVIRONMENT

- a. South Florida Regional Planning Council comment (Page A-6)

Goal 12 - Encourage the retention of the Region's rural lands and agricultural economy.

The respondent indicated "The Town of Davie is known for the most significant amount of rural lands within Broward County. This is an isolated site with which will have direct access to 1-75 and will not have a negative effect on the supply of rural lands within the Town of Davie. It is not an agricultural use at the present time, except for pasture grazing." This is a piece of property significant in size and location. The respondent should provide an inventory and analysis of the available rural lands along with data to support the statement this proposed project and loss of this site for agricultural purposes will not have a negative effect on the supply of rural lands within the Town of Davie.

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Applicant's 2nd Response: Because of the commercial value of this site that would otherwise be used for single-family housing, the income generated to the Town would help fund the Town's rural initiative. Funds generated would allow the Town to purchase more suitable parcels for the rural program in areas where the land is cheaper and surrounded by parcels of similar use. Further, the funds can be used to maintain and/or improve Davie's existing open space and rural lands without draining the Town's budget. The subject property is located adjacent to a gated community and an interstate highway.

b. South Florida regional Planning Council Comment (Page A-7)

Goal 15-Restore and Protect the ecological values and functions of the Everglades Ecosystem by increasing habitat area, increasing regional water storage, and restoring water quality.

The respondent indicated "there will be increased habitat for plant and animal species" however, the respondent did not provide any clarification or data on how a commercial development project will accomplish this. This is not an intuitive point and requires supporting data.

Applicant's 2nd Response: Several avoidance, minimization, and on-site and off-site mitigation alternatives are being considered to address wetland impacts resulting from this project.

The project team, in conjunction with the Broward County Environmental Protection Department (BCEPD), has identified a list of possible off-site mitigation areas to compensate for wetland losses resulting from this project. The following table is a list of potential freshwater wetland mitigation areas within Broward County that are being considered:

The project team will continue to work with BCEPD to identify other possible off-site mitigation areas within Broward County that will meet mitigation requirements.

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Site #	Site Name	Municipality	Habitat Type	Acres	Comments
7	The Forest	Margate	Freshwater Forested Enhancement/Creation	22	Parks property. Very little available for mitigation
121	Mills Pond	Fort Lauderdale	Freshwater Forested Wetlands Enhancement	22	Have 3 solid commitments for 11 acres. The remaining 11 acres has a tentative commitment. Call back in December.
OS-49	Plantation Golf	Plantation	Freshwater wetland creation	88	Have 2 solid commitments. No more acres available.
OS-54	Rolling Oaks	Southwest Ranches	Freshwater wetland creation	13.8	Acreage being used to resolve outstanding violations. May be some left over. Will know in 1-2 months if anything is left
OS-107	Frontier Trails	Southwest Ranches	Freshwater wetland creation	27	Acreage being used to resolve outstanding violations. May be some left over. Check back in 1-2 months
OS-104	SW Meadows	Southwest Ranches	Freshwater wetland creation	3	Acreage being used to resolve outstanding violations. May be some left over. Check back in 1-2 months
OS-106	County Estates	Southwest Ranches	Freshwater wetland creation	4	Acreage being used to resolve outstanding violations. May be some left over. Check back in 1-2 months
OS-76	Van Kirk Groves	Davie	Freshwater wetland creation	70	None available. Taken by Home Dynamics

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In addition to off-site mitigation options, the project team is considering the possibility of on-site mitigation within the open space areas located within the project boundaries. Site constraints, available acreage, and regulatory guidelines will dictate whether or not on-site mitigation is feasible at this location.

Planting of littoral shelves within stormwater management ponds is another on-site minimization and mitigation strategy being considered by the project team. The project team is working with regulatory agencies to assess the feasibility of this approach for this project. Site constraints and regulatory guidelines will dictate whether or not planting of littoral shelves is feasible within these ponds.

All available avoidance, minimization, and on-site and off-site mitigation strategies will be considered for this project. The project team is working closely with BCEPD and SFWMD to assess how to mitigate for any loss of wetlands. Site constraints, available mitigation areas, and regulatory guidelines will shape the final overall mitigation plan.

- c. Town of Davie Comment (Page B-17, under Part 4.A as well as on Page B-22 under part 5.A.3. and Page G-1 under G.3.)

The applicant responds that all wetlands that are present on site will be impacted and that no design alternative was considered. The applicant appears to be moving forward with the primary assumption of removing all wetlands without consideration of any avoidance or minimization potential for this site. The goal of wetland resource regulations is a no net loss in function or value of wetland resources. This is accomplished through the avoidance of impacts as the first priority, minimization of impacts as the second, and mitigation only as the third. An alternatives site analysis, as well as a minimization analysis should be provided.

Additionally, as requested on Page G-2(4)B, an analysis will need to be conducted to ensure the proposed wetland impacts will not cause unacceptable cumulative impacts to wetlands or surface waters in the same drainage basin and that the proposed development activities will not cause secondary impacts.

Applicant's 2nd Response: Same response as above.

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I. REVIEWING AGENCY: Florida Department of Transportation

Based on our review, we found that the applicant has satisfactorily addressed 47 of the 54 previous comments. Our review comments on satisfactory responses are compiled as an attachment to this letter. We offer the following comments to the previous concerns that are not yet sufficiently addressed:

1. FDOT Previous Comment:

Pages 21-6 to 8, Table 21.A2: To account for diversion, the applicant has halved the project's office trip generation along Weston Road and Arvida Parkway. Diversion is not appropriate for an office use. Please justify or revise. Please also note that diversion cannot be used to reduce the five-percent-significance calculation.

Applicant's Response:

The current MPO model used in the DRI analysis for trip distribution matches available housing and jobs based on proximity without regard to the probable absorption rate of those jobs. In this case, while Weston is nearly built out, the distribution of office trips (equal to people at a rate of 1.2 per vehicle) assumes that the proximate housing in Weston has employment opportunities that are a match, and that these are new jobs. In other words, people living in these houses who are assigned to the new office do not currently travel to work. The standard DRI model assignment process of trip distribution will layer the new work trip on top of existing traffic including existing work trips, which effectively causes double counting of a portion of the areas work trips. This is further exacerbated by the distribution of work trips from committed housing being routed to the new office as well, also reflecting new jobs. It is logical to assume that some existing work trips (jobs) in Weston may be exchanged with the construction of the new office building. In that scenario the generated work trips are not new but "diverted" now simply going to a different place of employment. The 50% reduction of these work trip assignments applied in the analysis only within Weston roadways is intended to reduce this double counting of existing and committed development employment trips. Since the model derived forecasted traffic volumes are not used in the DRI analysis (which would account for this displacement) but only the model derived distribution percentages are applied, the process creates new employment opportunities beyond the magnitude of new residents who will be needed to fill these jobs. Unless an alternative procedure is provided that addresses the double counting of work trips, this is believed to be an appropriate adjustment.

As a test, the "diverted" office trips were removed from the original significance table in order to determine if any changes occur to the significance. The resulting significance table confirmed all of the previously identified significant segments (project trips > 5% of maximum service volume), plus one new segment: Weston Road northbound between South Post Road and South Corporate Lakes Boulevard.

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FDOT Comment:

The Department does not agree with the applicant's argument for the following reasons:

1. The applicant has not provided any statistical evidence or study to justify the office trips diversion from the City of Weston to this project site.
2. The applicant should look at the project's work trip distribution at a regional perspective rather than a localized approach. A development of this scale will have a substantial impact regionally, hence the requirement of going through a DRI process. With 885,000 square feet of office space and a million square feet of retail space proposed, work trips will be generated from the region, not just from the City of Weston. Moreover, providing new job opportunity in the DRI does not mean it will "divert" jobs from the surrounding area. Any diverted office trips, if any, along roadways will eventually be replaced, as the existing office space that loses business to the DRI will re-lease the office space.

For the above reasons, the Department does not accept the reduction of the diverted trips for office space. Please revise the analysis accordingly. Modification such as this should be discussed and agreed upon prior to their use.

Applicant's 2nd Response: The applicant has discussed this approach with the reviewer and the Applicant's 1st Response was misunderstood. Further supporting data was requested by the reviewer. In that context, further explanation is provided herein.

The office trip being referenced, as a "diverted" trip is further described in the hypothetical example as follows. A resident of Weston currently working in an office building in Fort Lauderdale (or Miami) may be traveling on Royal Palm Blvd (f/k/a Arvida Parkway) to I-75. If this resident becomes employed at The Commons, they are still driving on Royal Palm Blvd. Their prior employment position, well removed from the study area will be replaced by a new worker who is not likely to be using Royal Palm Blvd. In this context, the current layering method is double-counting those trips.

The reasonableness of the proportion being reduced (half) requires a quantification of the new residential units being built as compared to the new jobs being created. There are three new residential communities included in the committed development list. They contain a total of 1,460 units of which 708 (48%) are adult units 55 years of age and over (DRI Table 21.D1 items 20, 21 and 22).

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If the 31% of new office trips being assigned into Weston were to be new employment positions, then one out of three (75%) of the new units would have at least one person employed at The Commons. This is not a reasonable assumption (885,000 SF at 4 employees per 1000 SF = 3,540 employees; 31% = 1097 employees).

On the other side of the equation is the reasonableness of the assumed growth in background traffic, and whether the office trip reduction is reasonable from that perspective. The 2005 existing traffic volume on Arvida Parkway between I-75 and Weston Road is 3,080 vph during the PM peak hour. An annual growth rate of 1.33 was assumed in the analysis resulting in 645 additional trips. Committed developments add an additional 543 PM peak hour trips. Therefore, between background growth and committed development a total of 1,188 PM peak hour trips are added to Arvida Parkway. With the addition of the 1068 project trips, the total increase in traffic on Arvida parkway is 2,256 vph or an increase of 73% over existing traffic.

Considering the near buildout condition of the City of Weston it is quite evident that this traffic overlaying procedure results in significant traffic double counting. There is simply not enough vacant land to support new residential developments generating thousands of trips to justify such an increase in traffic by 2013. Therefore, the assumed 50% reduction (or 152 PM peak hour trips) of office peak hour trips from Weston roads implies that not all office employees are new residents in Weston but some already lived there and chose to work at The Commons instead of making a longer trip to other cities. The trip reduction is only about 14% of project trips assigned to Arvida Parkway and represents less than 6.7% of the projected increase in traffic. Even after office trip reduction, the projected increase in traffic along Arvida Parkway west of I-75 is 2,104 PM representing an increase of 68% compared to existing peak season traffic. This clearly exceeds the potential growth in traffic from a City in a near buildout condition and is an exaggeration of future traffic. Therefore, we maintain that the office trip reduction applied only to Weston roads is the minimum justifiable reduction. No reduction in office trips was applied outside the City of Weston.

Further justification for modest trip reductions is the

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fact that the committed development "The Palace at Weston" was provided to the applicant (and included in the analysis) with a development of 708 dwelling units, whereas no more than 350 are being built as per the developer and they are restricted to age 55 and over.

4. FDOT Previous Comment:

Page 21-11, Table 21,A3: Please confirm the link lane configuration for Weston Road from North Commerce Parkway to Arvida Parkway.

Applicant's Response:

Weston Road from North Commerce Parkway southbound to Arvida Parkway has 41 feet of travel and turn lanes (including a designated bike lane). Within this width are two (2) travel lanes and a third continuous right turn lane of an approximate 1,000 feet length which as a result of this continuous length functions as an auxiliary lane. In fact, the right turn lane was originally a combined through/right turn lane, providing three through southbound lanes. The southbound lane configuration south of Arvida Parkway still maintains the original three lane configuration. In addition the third southbound "right turn" lane actually starts north of North Commerce Boulevard. Thus the southbound lane configuration at North Commerce Boulevard is equivalent to three lanes, not two.

The result is capacity equivalent of a six (6) lane roadway. Historic traffic counts also include this continuous right turn auxiliary lane.

A similar configuration is given in the northbound direction from Arvida Parkway. The continuous right turn lane extends for about 1,000 feet between Arvida Parkway and North Commerce Boulevard. Weston Road traffic entering northbound from Arvida Parkway via the dual right turn lane has been observed to travel onto this right turn auxiliary lane for most of its length in some cases up to and into North Commerce Parkway. The configuration is attached as Exhibit D-1.

FDOT Comment:

The Department agrees that the link lane configuration north of Arvida Parkway is comprised of a continuous right turn lane and two-through lanes. Given that the continuous right turn lane support approximately 16% of the link count (the right-turn volume) and none of the project trips, it is not appropriate to assume that the right turn lane provides an extra lane of capacity on this link. Please revise the analysis assuming a four-lane configuration.

Applicant's 2nd Response: The reviewer's response is only focused on one side (southbound) of the road and one right turn movement. To document the observed use of these continuous right turn lanes, traffic counts were taken in July 2006 with timed video recordings and reveal that just over 38% of the Weston Road northbound AM peak hour volume uses the right turn lane for travel between Royal Palm Boulevard and North Commerce Parkway. The

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westbound to northbound right turn at Arvida Parkway (Royal Palm Blvd) and Weston Road carries 9 % of project trips as identified in Table 21-E2-C on page 21-82 of the ADA. The re-striping of the southbound side and addition of a right turn lane will fully utilize the existing southbound lanes and in a manner that is operationally proper by re-striping the continuous right turn lane to a through lane. This section of Weston Road (North Commerce Parkway to South Commerce Parkway) is clearly configured with a cross-section greater than a 4-lane arterial and operating at capacities beyond a 4-lane arterial under existing conditions and will continue to do so with the proposed improvements.

5. FDOT Previous Comment:

Page 21-18: Please clarify the improvements anticipated through the TIP at the Arvida Parkway and 1-75 west ramp. A new southbound on-ramp lane is indicated in the text; however, the intersection analysis (Appendix 21-4) also includes a new southbound off ramp lane and an additional eastbound through lane. This configuration is also illustrated in Map J-20 on Page 21-109.

Applicant's Response:

East of Weston Road, Arvida Parkway is a six lane, divided facility. Although the bridge crossing over I-75 is capable of handling six or even eight lanes, the existing operations require the merging of the three eastbound through lanes to one lane in order to enter the northbound 1-75 on-ramp. Likewise, the northbound 1-75 off ramp expands from one lane off 1-75 to three through lanes on westbound Arvida Parkway.

The southbound 1-75 on-ramp has been configured to incorporate the existing right turn lane and the adjacent through lane (one of three) on eastbound Arvida Parkway to form a dual right turn on-ramp access to southbound 1-75. The ramp is reduced to one lane by the time it begins to merge with southbound 1-75. The referenced eastbound through has been striped out beyond the ramp junction with the bridge and the eastbound Arvida.

Map J-20 and the analyses in Appendix 21-6 have been revised to reflect this condition.

FDOT Comment:

The Department would like to clarify that under existing conditions the eastbound approach prior to the southbound on-ramp is comprised of one through, one through-right, and an exclusive right turn lane, not two through and two right-turn lanes. The addition of a third eastbound through lane is an improvement that the applicant must fund, in addition to the other improvements indicated at the interchange in Map J-17.

Applicant's 2nd Response: The applicant is aware that this third eastbound lane will be the responsibility of the applicant and is included in the overall interchange modification and will also be submitted as part of the

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IMR.

14. FDOT Previous Comment:

Pages 21-52 to 54, Table 21-D3A: The total committed development trips destined to the Commons site is approximately 175 trips. The double counting reduction should not exceed 175; however, it appears that the applicant has reduced in excess of this amount. For example, TAZ 675 has a 3% distribution at the Commons driveway (27 trips), but the reduction on I-75 and Arvida Parkway in the vicinity of the project is 3% each (54 trips total). Please explain or revise the table.

Applicant's Response:

Table 21.D3A includes two roadway segments for I-75 north of Arvida Pkwy and each of these segments is reduced by 27 trips. However, the percent reduction has been revised from 4% to 3% and therefore each of the two roadway segments is reduced by 21 trips. Furthermore, based on comment 15 below, the committed developments located outside the 3-mile radius are no longer part of the analysis and the total reduction has been reduced from 175 to 120 trips.

FDOT Comment:

The comment has been misunderstood. The Department agrees that a 3% of TAZ 675 results in a 21 trip reduction (8-out and 13-in) at the Commons driveway; however, if we track the 13-in trips back from the Commons driveway to south on I-75 and west on Arvida Parkway it would appear that the applicant has reduced each facility's traffic by 13 trips rather than some split of 13 trips. The same trips cannot be on both the facilities simultaneously. Please correct this error.

Applicant's 2nd Response. The reviewer is correct. For some committed developments, trip reduction was applied to both Arvida Parkway and I-75. A review of Table 21.D3A indicated that adjusting for this double counting for all committed projects where the error occurred would have increased the total background traffic on I-75 by 46 trips north and 36 trips south of Arvida Parkway. Considering I-75 projected volumes are 16,281 PM peak hour trips north of Arvida Parkway and 15,745 PM peak hour trips south of Arvida parkway, the background traffic discrepancy is negligible, 0.28% and 0.23% respectively. This correction would not measurably change the analysis. Nonetheless, this minor correction will be carried forward in the Interchange Modification Report (IMR) analysis.

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21. FDOT Previous Comment:

Page 21-63, Map J-10A: There is a significant loss of trips (50%) within several miles of the site. Please justify the short trip lengths.

Applicant's Response:

The majority of The Commons trips are generated by the retail component of the project. Project trip distribution was consistent with a marketing study identifying the potential markets for the project.

FDOT Comment:

The Commons is not a local shopping center but a regional retail and employment facility. Both the retail and employment components of this development characteristically have longer travel times than local facilities (Applicant's Response Comment #46). Because of the size and nature of the retail, the market is much more regional than short trips associated with neighbor retail. Please revise the distribution such that there are at least 50% of the trips at a 5-mile radius.

Applicant's 2nd Response: Most of the required figures and tables do not show the project assignments much beyond the limits of project significance. The study area was re-examined to measure the actual assignment of project trips that remain traveling beyond a 5-mile radius from the site. The original model assignment was used for this audit with the assignments plotted out well beyond the traditional significance limits. As revealed on attached **Exhibit I1 (SIN2)**, forty nine percent (49%) of project trips are beyond the 5-mile radius, which is within the 1% of the suggested goal. Since the 50% target is a somewhat arbitrary value, the achievement of this value within 1% is considered a reasonable distribution of project trips.

38. FDOT Previous Comment:

Appendix 214: A number of intersections have failing levels of service or movement v/c ratios that are greater than 1.0 in the 2013 "with" improvement condition. These include:

- Arvida Parkway / I-75 east ramp
- Arvida Parkway / I-75 west ramp
- Weston Road / Arvida Parkway
- Weston Road I South Commerce Parkway
- Weston Road I South Post Road

Applicant's Response:

As is the case for all previous intersection reviews for DRIs and impact analyses, the overall intersection LOS is the final determinant. As generally stated in the HCS2000

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page 10-16, a V/C ratio either over or under 1.0 is not by itself a determinant of delay or Level of Service.

FDOT Comment:

Total delay by itself is not a determinant of the operation at the intersection. A $v/c > 1.0$, that is indicative of queue spillback, results in the blockage of turning or through movements and an increase in the delay to the movement and intersection. This impact on delay is not predicted in a macroscopic model, and hence v/c should be kept less than 1.0. As for the delay for individual movements, if the applicant chooses to optimize an intersection to mitigate their traffic, and reduces the LOS for a movement not serving their traffic, then the movement LOS degradation is unfair. Please mitigate these failing intersections.

Applicant's 2nd Response: In addition to the HCS analysis, the intersections along Arvida Parkway and Weston Road, including I-75 interchange intersections, were analyzed using detailed microscopic SYNCHRO/SIMTRAFFIC and CORSIM analyses. While certain movements operate with a v/c greater than 1.0, a traffic microsimulation analysis was performed at these intersections for one hour duration using peak hour volumes to insure that delays did not cause queues exceeding storage space and spillbacks blocking main movements. Likewise, ramp intersection delays did not back up onto I-75 main lanes throughout the hour long traffic simulation. These microsimulation input and output files will be provided upon request.

48. FDOT Previous Comment:

Since access to the site will be from I-75 and Arvida Parkway, a large majority of employees and visitors to the site will be required to travel on I-75, a Strategic Intermodal System (SIS) facility. SIS facilities are designed for inter-regional travel and the proposed use and interchange modification will serve a more local function. The Department encourages local governments to provide non-SIS options for local travel, which is problematic in this situation. (Note: If the interchange modification proceeds, bicycle and pedestrian movement through the interchange should be addressed, including appropriate safety measures.)

Applicant's Response:

The Commons is not a local shopping center but a Regional Retail and Employment facility. Both the retail and employment components of this development characteristically have longer travel times than local facilities. It is not inappropriate for regional retail and employment facilities to be located along or proximate to a freeway system. Being located along a SIS facility allows the planning of transit facility options such as described in the ADA. The Applicant will investigate the feasibility and safety of bicycle and pedestrian facilities through the interchange area as part of the IMR process.

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FDOT Comment:

While no further response is necessary, point out that short trips, especially those from the east, will be required to use I-75 because no direct connection to the site exists to the local roadway system. This is not desirable. The applicant and the local jurisdiction should make every effort to ensure that there is good connectivity such that short trips do not need to use the SJS facility.

Applicant's 2nd Response: Vehicular connections from the East are very restricted irrespective of any direct connection of the site to Shotgun Road even if that proved to be feasible, which it is not. The general roadway network east of I-75 (western Davie) has by design and policy been downgraded to inhibit east-west travel by removing these roads from the Broward County Trafficways Plan. The most recent Town of Davie EAR submittal (2005) is further evidence of this as SW 14th Street has been entirely removed from the "Roadway Functional Classifications" map Figure II.E.1 (attached as **Exhibit I 2 (SIN2)**). As such, any significant travel within the Town of Davie that would be destined to The Commons will use either I-595 or Griffin Road because these are the only efficient east-west arterial or collector connections through western Davie. This is reflected in the current analysis.

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The Commons - Development of Regional Impact (DRI)

J. REVIEWING AGENCY: South Florida Water Management District

Question 13: Wetlands

1. The applicant has not demonstrated that other project design alternatives were considered to reduce or eliminate the proposed wetland impacts. In addition, the applicant has not demonstrated that on-site wetland mitigation cannot be incorporated into the project design. The applicant should provide a detailed project alternatives analysis which demonstrates that all feasible project modifications have been made to avoid and reduce wetland impacts in the current Master Development Plan. The analysis should also demonstrate that on-site mitigation opportunities would not provide long-term ecological viability. This analysis is necessary for SFWMD staff to determine if the project can be permitted. It is also a pre-requisite for consideration of any off-site mitigation. The applicant is advised that any proposed off-site mitigation will only be reviewed after staff has reviewed and approved the required alternatives analysis mentioned above.

As part of the Environmental Resource Permit (ERP) application review process, the applicant will need to provide reasonable assurances that the project meets all applicable conditions for issuance of an ERP (e.g., demonstrating that the project will not result in adverse direct and/or secondary impacts to wetland functions and values, will not result in unacceptable cumulative impacts to wetlands, will not violate applicable water quality standards, and will not be contrary to the public interest). For applicable SFWMD permitting criteria, please refer to Rule 40E-4.301 and 40E-4.302, F.A.C., and the Basis of Review for ERP applications in the SFWMD.

Applicant's 2nd Response: The project team will adhere to applicable regulatory criteria, including Rule 40E-4.301 and 40E-4.302, F.A.C., and the Basis of Review for ERP application in the SFWMD. All available avoidance, minimization, and on-site and off-site mitigation strategies will be considered for this project. The project team is working closely with BCEPD and SFWMD to assess how to mitigate for any loss of wetlands.

Site constraints, available mitigation areas, and regulatory guidelines will shape the final overall mitigation plan.