



**Lauderhill City Center
Responses to Statement of Information Needed
(First Round)**

Submitted on behalf of:

LM TIC I LLC, LM TIC II LLC, LM TIC III LLC, LM TIC IV LLC, and LM IDEAL, LLC,
LM TIC I LLC, LM TIC II LLC, LM TIC III LLC, LM TIC IV LLC, and LM IDEAL, LLC

By:

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December 19, 2008



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A. COMMENTS BY THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL

Question 8, Permit Information:

Comment 1: The Applicant's response is incomplete, omitting several state and regional agencies, including DCA, FDOT, FDEP, SFRPC, and SFWMD.

Applicant's Response: *The requirements from the aforementioned agencies include:*

- *Department of Community Affairs: DRI approval*
- *Florida Department of Transportation: Letter stating that the project meets all traffic sufficiency requirements.*
- *Florida Dep't. of Environmental Protection: Letter stating that the project meets all environmental sufficiency requirements.*
- *South Florida Regional Planning Council: Letter stating that the project meets all applicable sufficiency requirements.*
- *South Florida Water Mgm't District: Letter stating that the project meets all potable and non-potable water sufficiency requirements.*

Question 9, Maps:

Comment: The Applicant's response is insufficient:

- Map A is not legible. Only the location of Regional Activity Centers designated under Chapter 380.06 Florida Statutes should be shown (not Broward County Land Use Designations).
- Map D shows adjacent future land uses but does not delineate their boundaries as shown on the adopted Future Land Use Map (FLUM) from the City of Lauderhill Comprehensive Plan. The map should include existing on-site land uses, recreational areas, utility and drainage easements, wells, right-of-way, and historic, archaeological, scientific and architecturally significant resources and lands held for conservation purposes.
- Map H omits drawings for Phase 1 and Phase 2 which were presented at the pre-application conference. The map does not adequately indicate the location of utilities, easements, right of way, transit stops and pedestrian ways. The scale shown on Map H is incorrect (since the drawing has been reduced). It is recommended that Map H be increased to 11 x 17 inch so that it is legible. Map H for Phase 3 Conceptual Build-out does not clearly show transit, pedestrian and recreational features.

- Map Ia and Ib show an out boundary that is inconsistent with Map H. These maps should also be revised to include minimum finished floor elevation and crown of road elevation. Drainage easements (existing and proposed) should be identified.
- Map J-12 does not show the two driveways located at the green space along SR7.
- The Applicant does include the additional information in response to this question as required in the Agreement to Delete Questions. Specifically, **“The ADA will provide illustrative map(s) of the proposed street network in sufficient detail to show proposed multi-modal connections that are necessary to support transit, including pedestrian connections.”**

Applicant’s Response: *Maps A, B, H, Ia, and Ib have been revised in accordance with the foregoing comments and are attached hereto as Composite Exhibit A. Please note, however, that the Applicant does not see any inconsistencies between the out boundary as depicted on Map H and that as shown on Maps Ia and Ib. Moreover, the scale level at which the transportation network is depicted on Map J-12 makes it impossible to represent the location of the two driveways at the green space along SR 7/U.S. 441.*

Question 10, Development Program:

Part 1, Section A

Comment: The Applicant does not use the unit types as required by Chapter 28-24 F.A.C.

Applicant’s Response: *The Applicant is not sure it understands the reviewer’s comment. Chapter 28-24 of the Florida Administrative Code (F.A.C) sets forth various rules that govern “multi-use facilities”, “office development,” “residential development,” “retail development,” and “hotel development,” and establishes thresholds for the purpose of presuming when such developments are subject to DRI review.*

The proposed Lauderhill City Center will be a “multi-use development,” comprised of a mix of “retail,” “office,” and “residential development.” In the Applicant’s Application for Development Approval (ADA) for the Lauderhill City Center DRI, the Applicant described the proposal as an “urban, mixed-use development consisting of residential, retail and office components.” The intensity/density of each proposed land use was set forth in Table 10.B.2.

Part 1, Section B

Comment: The Applicant should provide more discussion about the proposed equivalency matrix, since this is a transit-oriented project where external roadway trips may not be the “most measurable and significant aspect of the projects impacts to the larger community.” Additionally, the methodology shown incorrectly presumes that the relationship between trips and area is linear.

Applicant’s Response: *Please refer to Exhibit B and the information provided from McMahon Associates, Inc., in response to Comment 9 from the Florida Department of Transportation and Comment 1 from the Department of Community Affairs.*

Part 1, Section E

Comment: Does not indicate how many affordable and/or workforce units are proposed.

Applicant's Response: *The question, as stated in Section E of Question 10 of the ADA, asks that the Applicant "[d]escribe, in general terms, how the demand for this project was determined." The question does not mention affordable housing and/or workforce units, but rather how demand was determined. As understood by the Applicant, "demand" refers demand for residential units, retail space and office space, and not simply affordable housing.*

With that said, the residential units planned for the Lauderhill City Center are intended to serve the housing needs of central Broward County. The units are not planned as price or occupant restricted, but the demographics of the area will dictate the character and pricing of the residential units. Moreover, if at the time of permitting, the Applicant is subject to any regulatory requirements that relate to new developments and affordable housing, then the Applicant will take the necessary steps to comply with them.

Part 1, Section H

Comment: Refers to "A prominent feature...express bus station that is located in the center of the project along SR 7/US 441." This is not identified in Map H.

Applicant's Response: *Map H has been revised accordingly and the express bus station and local bus station can also be viewed on the "Street Network and Pedestrian Connection" map.*

Urban Form and Function

Comment: In response to Question 10, the Applicant has not provided additional information concerning Urban Form and Function as specifically agreed to the Agreement to Delete Questions. The need for this information was discussed with the Applicant and agency staff at the Pre-Application Conference. At a minimum, the response should address items listed in Exhibit A of the Pre-Application Agreement.

Applicant's Response: *The Applicant's responses to items listed in Exhibit A of the Pre-Application Agreement are as follows:*

- *Policy 10.04.04, Provide FAR consistent with TOC recommendations in BCLUP*

The Lauderhill City Center will have an FAR of 1.59 at build out.

- *Policy 10.04.05, Does the applicant agree to eliminate stand alone automobile oriented uses such as large surface parking lots?*

As stated in the ADA, at build out, the development will have minimal surface parking. There will be some reconfiguration of the existing surface parking lots during the phasing of the redevelopment plan, but those lots will gradually be transformed into multi-use buildings as the redevelopment evolves. All required parking will be in the form of structured parking and there will not be any off-

street parking lots at build out. The only surface parking that will remain will be on-street located along the development's internal streets.

- *Policy 10.04.06, Connectivity of Uses to Transit. How will project connect to transit? Will the existing BC transit center be incorporated into the Site Plan?*

The proposed development is designed to accommodate Broward County's Transit system and is an integral part of the State Road 7 (SR 7) Collaborative. The SR 7 Collaborative is an effort to connect the multiple municipalities that share SR 7 as a major thoroughfare, and transform the suburban, sprawled, low density corridor into a regional network that accommodates mass transit, mixed uses, and higher densities. The Lauderhill City Center is an important component of this collaborative, and is slated to be one of the first new developments to embrace the transit-oriented development concept.

Initially, the City Center will accommodate transit riders by moving the bus transfer area from the north side of the development to the east side, facing SR 7. Eventually, the bus transfer area will be placed at the center of the development, which will allow buses to enter the heart of the City Center and allow busriders to wait for buses inside the confines of the development. The transfer area where riders will wait will be unique, providing busriders with the opportunity to enjoy supportive surrounding amenities including shops, restaurants, and shaded open space. The rider will have the option to grab a bite to eat, peruse a shop, or sit in the shade and wait for the next bus to arrive. This will facilitate a more comfortable experience for the rider and support a missing component of existing bus transfer stations in Broward County.

- *Policy 10.04.07 Where will the Public plaza and/or Open Space be located?*

At build out there will be a plaza/open space at the center of the development. This section of the City Center will consist of a large grassy area and will provide shade from trees. This will be the largest open area of the development. Other areas for residents and visitors to relax will be in front of the buildings, at restaurants and outdoor cafes.

It is important to remember that the Lauderhill City Center is proposed as a high-density, urban development. Most developments of this nature do not have large open spaces at their center. What is typical of urban development is that open spaces are located within reasonable distances that provide breaks from the urban landscape. The Applicant submits that the Broward County Regional Park, which is situated almost directly across the street from the subject site, will provide the City Center with the open space relief.

- *Policy 10.04.08, Connectivity of Transit Transfer Facility.*

As previously discussed, the transfer facility will be at the heart of the development, and will provide riders with a comfortable area to wait for their bus.

- *Policy 10.04.09, Transit amenities.*

The transit amenities for this facility will be unmatched. There is currently no other development in Broward County that has, or is proposing to have, a bus transfer facility at the heart of their development. The Lauderhill City Center is making transit a central theme by building a transit station at the center of the development. This transfer station will be surrounded by shops, restaurants, outdoor cafes, and shaded areas for relaxing. Riders will enjoy a unique and inviting destination while waiting for their bus.

Part 3

Comment: On page 19 of Question 10, please clarify whether the employment profile is only for the retail space to be demolished or is inclusive of the office building “4200 Ideal Building.” Please make sure the employment profile only includes the retail use space that the applicant is planning to demolish eventually. On page 20 of Question 10, please make sure the employment profile is for the new development, i.e., 650,000 square feet of retail space and 425,000 square feet of office.

Applicant’s Response: *On page 19, the employment profile is for retail space to be demolished only and does not include the office building “4200 Ideal Building” (which will not be demolished). On page 20, the employment profile is for 650,000 square feet of retail space and 425,000 square feet of office.*

Comment: On page 20 of Question 10, the 2007 property value of all the structure is estimated at \$8,334,450. However, on page 22 of question 10, the total taxable property value for existing development to be demolished is \$18,767,400 which is significantly higher than the figure on page 20. Please explain.

Applicant’s Response: *The number referenced on page 20 of question 10 is the 2007 property value of the structures on the subject site (\$8,334,450). The number referenced on page 22 of question 10 is the 2007 total taxable property value; this includes property value and land value (\$18,767,400).*

Question 11, Revenue Generation Summary:

Comment: The Applicant’s response appears to be insufficient because it is not clearly stated whether all the revenues (Table 11.1 and Table 11.2) are estimated only on the new development, i.e., 2,500 residential units, 650,000 square feet of retail space and 425,000 square feet of office.

Applicant’s Response: *Tables 11.1 and 11.2 project the recurring and non-recurring revenues that the proposed new development is anticipated to generate. Table 11.3 describes the amount of proposed development (i.e., 2,500 residential units, 650,000 square feet of retail space and 425,000 square feet of office) as well as the schedule for completion of such development. The revenues projected in Tables 11.1 and 11.2 are based on the information provided in Table 11.3 (i.e., based on proposed new development only).*

Question 17, Water Supply

Comment: The Applicant’s response appears to be insufficient because of inconsistencies and missing information, specifically:

- The Applicant provides no projections for non-potable water demands, raising concern as to how the site will be irrigated. The Applicant does state that stormwater recapture systems on new buildings will be used for supplementing irrigation needs, however, clarification on the source of remaining irrigation needs should be addressed:
- The Applicant’s Total Water Demand projections in Table 17.1 through 17.3 for Phase 3 are inconsistent. The Applicant should recheck the projections and revise the tables to ensure consistency.

- The Applicant has not clearly demonstrated that the City of Lauderhill can supply water throughout all construction phases and post-development of the site. The letter dated December 4, 2007, from the City of Lauderhill Department of Environmental and Engineering Services only addresses the potable water supply through Phase 1. In addition, the water demand allocated to Phase 1 is 0.203 MGD whereas the Applicant's projected water demand for Phase 1 is 0.241 MGD (after subtracting existing demand). The Applicant needs to clarify the projected water demands and resubmit a letter stating that the City of Lauderhill has the capacity to supply water throughout all phases of the project as well as post-development.

Applicant's Response:

- *Please refer to the Applicant's response to comments made by the South Florida Water Management District concerning potable and non-potable water demand projections.*
- *Tables 17.1 through 17.3 have been revised to remove inconsistencies and to reflect revised water demand projections, as explained in more detail in response to comments made by the South Florida Water Management District.*
- *As explained in detail in response to comments made by the South Florida Water Management District, the water demand projections for the Lauderhill City Center have been revised and as a result, the City's allocation of 0.203 MGD is sufficient to meet the projected water demand for Phase 1 of the proposed development.*

Question 19, Stormwater Management:

Comment: The Applicant's response appears to be insufficient because no information was provided for the existing level of service, the adopted level of service standard, and the level of service after project buildout for stormwater management.

Applicant's Response: *Based on the City of Lauderhill's Comprehensive Plan, Subpolicy 2.3.1.4, "Drainage & Aquifer Recharge," the level-of-service standards for stormwater are as follows:*

1. ***ROAD PROTECTION.*** *Residential streets not greater than fifty feet wide rights of way to have crown elevations no lower than the elevation for the respective area depicted on the Broward County ten-year "Flood Criteria Map." Rights-of-way greater than fifty feet wide to have an ultimate edge of pavement no lower than the elevation for the respective area depicted on the Broward County ten-year "Flood Criteria Map."*
2. ***BUILDINGS.*** *To have the lowest floor elevation no lower than the elevation for the respective area depicted on the Broward County "100 Year Flood Elevation Map," or the Federal Emergency Management Agency Base Flood Elevation, whichever is higher.*
3. ***OFF SITE DISCHARGE.*** *Not to exceed the inflow limit of South Florida Water Management District primary receiving canal or the City's conveyance system, whichever is less.*
4. ***STORM SEWERS.*** *Design frequency minimum to be three-year rainfall intensity of the State Department of Transportation Zone 10 rainfall curves.*

5. *FLOOD PLAIN ROUTING. Calculated flood elevations based on the ten-year and one hundred-year return frequency rainfall of three-day duration shall not exceed the corresponding elevations of the Broward County ten-year "Flood Criteria Map" and the "100-Year Flood Elevation Map."*
6. *ANTECEDENT WATER. The higher elevation of either the control level elevation or the elevation depicted on the Broward County "Average Wet Season Water Levels Map."*
7. *ON-SITE STORAGE. Minimum capacity above antecedent water level and below flood plain routing elevations to be design rainfall volume minus off site discharge occurring during design rainfall.*
8. *BEST MANAGEMENT. Prior to discharge to surface or ground water, the Best Management Practices of the South Florida Water Management District, shall be used to reduce pollutant loading from stormwater runoff.*

Question 20, Solid Waste/Hazardous Waste:

Comment: The Applicant's response is insufficient because the required correspondence from the Broward County Solid Waste Operations Division is not included in the ADA.

Applicant's Response: *A letter from the Broward County Solid Waste Division verifying capacity to serve the proposed Lauderhill City Center is attached as Exhibit C.*

Question 21, Transportation:

Please see responses provided by McMahon Associates, Inc., in the letter attached as Exhibit B.

Question 26, Recreation and Open Space:

Comment: The Applicants response is insufficient because Section A provides insufficient discussion and/or visual representation of what will be included as open space, particularly as it relates to the residential development. The discussion is limited to what the open space does not include. The Applicant has proposed this project as a Transit Oriented Corridor development, therefore, additional information on open space components is required.

Sidewalks are not defined as open space. The definition of open space, and level of service for open space, is established in the City of Lauderhill's Comprehensive Plan. Applicant is requested to recalculate the total acreage that will be dedicated to open space (not including sidewalks) and to include discussion of urban open space or green space/pocket park uses integrated with the Transit Oriented Corridor and will promote recreational opportunities.

Applicant's Response: *The project has limited traditional open space, such as parks or large fields, because it is a high density, compact, urban development. Excluding sidewalks, the Lauderhill City Center will provide approximately 250,212 square feet of open/green space (as depicted on the figure attached as part of Composite Exhibit D). The project has been planned in such a manner to ensure that it would become a true transit-oriented development (TOD), containing high densities that focus the local population around a transit station. This is in stark contrast to the ubiquitous sprawl model seen throughout South Florida where large suburban tracts have been developed with low density*

residential developments and intermittently spaced parks and fields. Such development has proven to be unsuccessful in promoting the type of transit ride ability necessary to facilitate mass transit.

The Applicant respectfully submits that high density projects similar to the Lauderhill City Center do not normally contain large areas of open space, but instead rely on adjacent or abutting parks to relieve the urban setting that exist within their high density geographies. Examples include numerous developments in New York City and their proximity to Central Park, Millennium Park in downtown Chicago, Golden Gate Park in San Francisco, and countless city centers in Europe and elsewhere abroad. The Lauderhill City Center is similar in nature, if not in scale, because it relies on the Broward County Regional Park as an open and recreational space outlet. The Broward County Regional Park contains over 109 acres of open space, and is located within 680 feet of the city center. The regional park has numerous recreational opportunities including soccer fields, basketball courts, a water park, and one of the only cricket fields in the United States. Residents of the Lauderhill City Center will be able to take a short 5 to 10 minute walk and experience one of the largest urban parks in Florida.

In addition, the Applicant points out that each residential building will provide 3,000 square feet of recreational space, including a party room, kitchen, pool and pool deck. By phase, the amount of recreational space in the Lauderhill City Center breaks down as follows:

- *Phase 1: 12,000 square feet*
- *Phase 2: 18,000 square feet*
- *Phase 3: 27,000 square feet*

Finally, TOD's simply do not require open space as a pre-requisite, and they are not fundamentally successful on the basis of open space. Instead, the primary metric of measuring the successfulness of a TOD is the ability to connect people and uses to transit facilities. The Lauderhill City Center accomplishes this goal, and successfully employs arcades and wide sidewalks for open space within the project as well as the Broward County Regional Park for green open space adjacent to the project.

Question 27, Education:

Comment: The Applicant's response is insufficient because the Applicant did not provide additional information in response to this question as required in the Agreement to Delete Questions.

Applicant's Response : *Pursuant to the Agreement to Delete Questions, the Applicant used the most current student generation rates that Broward County School District had made available through its Facility Management, Planning & Site Acquisition Department to estimate the number of school age children that the proposed development is anticipated to generate. The estimation was provided in Table 27.1. For your convenience, a copy of the Student Generation Rates table is attached as Exhibit E.*

Also, as an exhibit to the ADA, the Applicant included a letter from the Broward County School Board, Growth Management Department that was dated September 17, 2007. The School Board letter identified the school facilities that would serve the proposed development and illustrated that those facilities are capable of serving the additional students generated by the proposed development (even if all of the proposed 2500 residential units were constructed at once).

Finally, the proposed Lauderhill City Center will be consistent with the Education Mitigation Agreement because the Education Mitigation Agreement requires that the City must collect the

applicable student station per dwelling unit cost from the Applicant prior to the issuance of a building permit for construction of any of the proposed residential units. Please note that even though the proposed Lauderhill City Center includes more high rise dwelling units than anticipated in Land Use Plan Amendment 06-03, an amendment to the Education Mitigation Agreement will not be required because (and as explained the School Board's letter) the total number of students generated by the proposed development (153) will not exceed the total number of dwelling units (4,711) or the total number of students (1,276) that were anticipated in Plan Amendment 06-03 or the Education Mitigation Agreement.

Question 28, Healthcare:

Comment: The Applicant's response appears to be insufficient because the required correspondence from two healthcare providers, Westside Regional Medical Center and Broward General Medical Center, is not included in the ADA.

Applicant's Response: *The Applicant has sent multiple letters to Westside Regional Medical Center and Broward General Medical Center but is still waiting for a response from those facilities. Once the response letters are received, the Applicant will forward them to each agency receiving this application package. Letters that have been sent to Broward General Medical Center and Westside Regional Medical Center are attached as Composite Exhibit F.*

Question 29, Energy:

Comment: The Applicant's response appears to be insufficient because no information was provided relative to the energy supplier's capacity to service the site and energy conservation measures as part of the development.

Applicant's Response: *A letter from Florida Power & Light was attached as Exhibit 10 to ADA. For your convenience, an additional copy of the letter is attached as Exhibit G.*

Question 31, Airports:

Comment: The Applicant's response appears to be insufficient because the noise contour maps are illegible. Please resubmit in a large size so that the text is readable. In addition, please label major roadways on General Location Map.

Applicant's Response: *Larger noise contour maps have been attached as Composite Exhibit H. The revised General Location Map has been attached as part of Composite Exhibit A.*

B. COMMENTS BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Question 17: Water Supply

Comment (1)

According to Table 17.1 the project's net total water demand is 0.945 MGD. The non-potable water demand is zero. Will this project include landscaping? If so, is the applicant proposing to use potable water to meet the project's landscape irrigation needs? Please clarify. If landscaping is proposed, please provide the methodology for calculating the project demand. Please be advised that the demand projections should be consistent with the modified Blaney-Criddle Equation, pursuant to Section 2.3.2, Supplemental Irrigation Requirement, of the SFWMD's Water Use Basis of Review.

Applicant's Response: *The Lauderhill City Center will include landscaping and the Applicant estimates that the Lauderhill City Center will generate approximately, 0.014 MGD of non-potable water by the conclusion of Phase 2, and 0.017 MGD of non-potable water demand at build-out.*

Virtually all of the non-potable water demand can be attributed to landscape irrigation needs. While irrigation demand typically varies in South Florida by season (with the higher demand occurring during the November to May "dry season"), such variations are not anticipated to impact the Lauderhill City Center due to the urban character of the development and relatively negligible demand for irrigation. Nevertheless, the demand projections provided are based on irrigation during high demand period.

The non-potable water demand projections have been determined by assigning one inch weekly to areas requiring irrigation. Also, please keep in mind that the existing Lauderhill Mall has minimal green space and landscaped areas and although the proposed Lauderhill City Center will increase the amount of such areas, the site will continue to be a compact, urban environment with a total of only about 250,212 square feet of green and landscaped spaces at build-out, as depicted on the figure attached as part of Composite Exhibit D. Aside from the large central plaza and the area surrounding the existing Ideal Building, most landscaping in the proposed Lauderhill City Center will be in small green areas and planters scattered throughout the development.

Further, for current purposes, the Applicant has used the same non-potable water demand estimate for both Phase 1 and Phase 2. The Applicant has chosen to do so because the exact sequence of redeveloping the pods will be governed by market demand and cannot be described in definite terms at this time. However, the Applicant is reasonably certain that Phase 3 will involve the redevelopment of Pods 5, 6, and 7 because those are the pods on which the existing mall is located and the demolition of the existing mall and redevelopment of that area is the final step in the proposed Lauderhill City Center plan of redevelopment. Therefore, in projecting the non-potable water demand for Phase 2, green spaces associated with Pods 5, 6, and 7 have been excluded from the total area of 250,212 square feet and the resulting area (154,567 square feet) has been used to compute the daily volume of non-potable water needed for irrigation purposes. A figure depicting the green areas at the conclusion of Phase 2 is attached as part of Composite Exhibit D. Then, rather than guessing which pods will be

redeveloped in Phase 1 versus Phase 2, the Applicant has taken the more conservative approach of simply using the Phase 2 demand projection for both of the first two phases.

An additional factor of safety is built into the Applicant's approach because the non-potable water projections do not account for the fact that the Applicant will ensure that at least 50% of new landscaping at the Lauderhill City Center will consist of native plant species and that xeriscaping best practices, as defined by the SFWMD, will be followed. Moreover, while Table 17.3 assumes that all non-potable water demands will be met by off-site water supply, the Applicant will also employ water saving techniques such as drip irrigation, soaker hoses and rain sensor devices on automatic irrigation systems. Additionally, all new buildings will be outfitted with stormwater recapture systems that allow rainwater to be captured and used for supplementing irrigation water needs.

Finally, by virtue of its location in the City of Lauderhill, the proposed Lauderhill City Center will be served by the City's municipal water distribution system. At such time as it becomes feasible and practicable from Broward County, the Applicant will seek to receive reclaimed water service to the subject property. Broward County expects "reuse" water to be more readily available within 3-5 years as infrastructure is constructed. As the infrastructure moves toward Lauderhill, the Lauderhill City Center will evaluate when it is cost feasible to connect to the system. Further and as discussed in more detail below, the City of Lauderhill has committed to building new water treatment facilities to increase the City's long-term capacity. In the meantime, for Phase 1 of the proposed project, the Applicant expects to utilize stormwater recapture systems on new buildings and some available City water capacity until the City's new water facilities are operational.

Comment (2)

The letter provided by the City of Lauderhill (Exhibit 5) in response to Question 17.F indicates that 0.203 MGD will be allocated for this project up to the year 2010. Table 17.3 indicates that the water demand for Phase 1 (2018 built-out) will be 0.392 MGD. Part of this demand (0.101 MGD) appears to represent the existing demand for that portion of the Lauderhill Mall that will not be demolished. The demand for that Phase 1 new development appears to 0.291 ($0.392 - 0.101 = 0.291$). It appears that the City's allocation for Phase 1 will be insufficient to meet the entire demand for the proposed new Phase 1 development (i.e., there will be a shortfall of 0.088 MGD). In addition, Table 17.1 and 17.3 indicate that the project's total water demand is 0.945 MGD net total, minus the existing demand of 0.151 MGD. However, when the demand for Phases 1, 2, and 3 is added ($0.392 + 0.772 + 1.096$), the total demand is 2.26 MGD. On Table 17.1, when the existing retail and office demand for Phases 1 and 2 is added the total existing demand is greater than that listed for the total demand for retail and office. Please clarify and revise these tables, as necessary.

Applicant's Response: *Upon further consultation with the City of Lauderhill, the Applicant has revised its estimated water demand for each phase of the project by using the City's actual water usage data. The revised water demand estimates have been determined as follows:*

Non-residential uses: According to the City's Department of Environmental and Engineering Service and the Broward County Property Appraiser, 5,215,073 square feet of non-residential uses exist within the water service area of the City of Lauderhill. City data further indicates that all non-residential users with the City's water service area consumed 275,140,000 gallons of water during the previous year. Therefore, it can be determined that 52,758 gallons of water per year per 1,000 square feet -- or 145 gallons of water per day per 1,000 square feet -- was consumed last year by non-residential uses.

Based on a rate of 145 GPD/1,000 square feet, the Applicant has arrived at revised water demand estimates for non-residential uses through each phase of the project. The revised estimates are shown on Revised Table 17.1 and Revised Table 17.3.

Residential uses: The City and Broward County Property Appraiser also maintain data that is relevant to water usage by residential units within the City's water service area. More specifically, Broward County Property Appraiser reports that there are 26,610 residential units within the water service area of Lauderhill. The most recent data from the City indicates that residential users consumed 1,576,684,000 gallons of water for the previous year. This equates to 59,251 gallons per year per unit, or 162 gallons per day per unit.

However, as a more conservative alternative, the Applicant also considered the City's current level-of-service ("L.O.S.") standard that needs to be met for new development and used that L.O.S. rate for estimating the future demand created by the proposed Lauderhill City Center. (Because this is a per capita standard, it cannot be applied to non-residential uses.) The City's current L.O.S. is 110 gallons per day per capita (as opposed to unit), but that rate will be reduced to 100 gallons per day per capita for all years after 2010. As such, please note that we have used the reduced L.O.S. given that the build out date for Phase 1 is 2018.

In order to use a "per capita" L.O.S. rate, the Applicant has retrieved average household size data from the University of Florida Shimberg Center (pursuant to comments by the Department of Community Affairs that such household figures should be used). The Shimberg Center data is presented in the table attached as Exhibit I.

By using the Shimberg Center data, the Applicant computed weighted average household sizes for the years 2005, 2010, 2015, 2020, 2025 and 2030. Relating those figures to the number of units proposed in each phase of the Lauderhill City Center, the following water demand estimates were calculated for each phase of development:

Phase	Units	Avg. Household Size	# of Residents	Generation Rate	Demand
1	665	2.62 person/unit	1742.3	100 gal./day/person	0.174 MGD
2	1330	2.65 person/unit	3524.5	100 gal./day/person	0.353 MGD
3	2500	2.68 person/unit	6700	100 gal./day/person	0.670 MGD

As a result of the revised water demand estimates, the letter submitted by the City of Lauderhill, dated December 4, 2007, now confirms that potable water supply capacity and infrastructure is available (0.203 MGD) to meet the water demand generated by all uses (residential, non-residential, and irrigation) in Phase 1 of the proposed Lauderhill City Center (0.203 MGD).

Notably, the estimates provided in Revised Table 17.1 and Revised Table 17.3 for each phase of development cannot be added together (as suggested in the agency's comment) because the Lauderhill City Center is an evolving plan of development with incremental development occurring alongside incremental demolition of existing buildings. In other words, once Phase 2 has been completed, Phase 1 will no longer exist, and once Phase 3 has been completed, Phase 2 will no longer exist. It is improper to simply add the estimates for each phase together; doing so results in double counting development that took place in previous phases.

Also, please note that as the proposed plan of development progresses from phase to phase, more and more of the existing retail space will be demolished while new construction takes place. As such, the

amount of water demand generated by “existing” retail space will gradually decrease while the amount generated by “new” retail space will gradually increase.

Moreover, the total amount of retail space (i.e., “existing” plus “new”) does not continue to increase between all of the phases. At the conclusion of Phase 2, there will be a total of 840,969 square feet of retail space (278,469 square feet of “existing” retail space yet to be demolished and 562,500 square feet of “new” retail space built as a result of Phases 1 and 2 construction); however, at the conclusion of Phase 3 there will a total of only 650,00 square feet of retail space -- all of which will be “new” retail space because all of the “existing” retail space will be demolished by that point in time. The net decrease of 190,696 square feet in total retail space is due to the fact that the amount of “existing” retail space demolished in Phase 3 (278,469 square feet) is 190,696 square feet greater than the amount of “new” retail space constructed in Phase 3 (87,500 square feet).

Comment (3)

Table 17.3 indicates that the City of Lauderhill is currently provided 0.151 MGD of potable water for the existing mall development. Please provide documentation from the City of Lauderhill that they are supplying the existing mall development with this volume of water.

Applicant’s Response: *The estimated current water demand rate of 0.151 MGD was based on water usage estimates provided in the “Guidelines for Determining Ability to Provide Potable Water and Sanitary Sewer Service, Broward County Water and Wastewater Engineering Division, January 18, 2007,” as noted at the bottom of Table 17.2 of the initial DRI ADA (the “Broward County Rate”).*

The City of Lauderhill does not have historical data for water demand by the Lauderhill Mall specifically; however, the City does have data indicating that non-residential users in the City consumed 275,140,000 gallons of water last year. According to additional data from the City’s Department of Environmental and Engineering Service and the Broward County Property Appraiser, the water service area of Lauderhill contains 5,215,073 square feet of non-residential uses. Therefore, it can be determined that non-residential uses consumed water last year at an average rate of 52,758 gallons per year per 1,000 square feet (275,140,000 gallons/year ÷ 5,215 thousand square feet), or 145 gallons per day per 1,000 square feet.

Using this generation rate instead of the Broward County Rate, the water demand for existing/vested uses can be summarized as follows:

<u>Existing Land Uses</u>	<u>Units</u>	<u>Generation Rate</u>	<u>Demand (MGD)</u>
Retail	663,133 s.f.	145 GPD per 1,000 s.f.	0.096 MGD
Restaurant	13,360 s.f.	145 GPD per 1,000 s.f.	0.002 MGD
Office (Ideal Bldg.)	82,480 s.f.	145 GPD per 1,000 s.f.	0.012 MGD
Total	758,893 s.f.		0.110 MGD

Comment (4)

The letter provided by the City of Lauderhill in Exhibit 5 does not address all of the requirements of Question 17.F.1 and 2 of the ADA questionnaire. The letter does not address, among other things, the entire new demand for Phase 1, as discussed in item 1 of this letter, nor the new demands for Phases 2 and 3. Please provide a revised letter from the City of Lauderhill that addresses all of the requirements of Question 17.F.1 and 2.

Applicant's Response: *As previously explained, as a result of the revised water demand estimates and current usage rate, the letter submitted by the City of Lauderhill, dated December 4, 2007, confirms that potable water supply capacity and infrastructure is available to meet the demand generated by Phase 1 of the proposed Lauderhill City Center.*

With regard to Phases 2 and 3, we understand that the City will soon adopt its 10-Year Water Supply Facilities Work Plan ("10-Year Plan"). The City's 10-Year Plan provides for the construction of additional water treatment facilities (in addition to other measures) that will increase the City's water supply by 10.0 MGD. Upon adoption of the 10-Year Plan, the new water facilities will be incorporated in the Capital Improvements Element of the City's Comprehensive Plan.

Significantly, Florida Administrative Code Rule 9J-2.044 provides that "[a] development order shall make adequate provision for the public potable water facilities needed to accommodate the impacts of the proposed development unless the local government includes in the development order a commitment by the local government to provide these facilities consistently with the development schedule approved in the development order." (emphasis supplied).

Because the City of Lauderhill's 10-Year Plan will be adopted and incorporated into the City's Comprehensive Plan before a public hearing is scheduled for approval of the proposed Lauderhill City Center, the City will be able to commit in its development order approving the Lauderhill City Center that adequate water supply facilities will be provided concurrently with the Lauderhill City Center's approved schedule of development.

Revised Table 17.1 POTABLE/NON-POTABLE WATER DEMAND				
Phase/Land Use	Potable Water*	Non-Potable Water		Total Water Demand
		Irrigation	Other	
Existing				
Retail	0.096 MGD	0 MGD	0 MGD	0.096 MGD
Office	0.012 MGD	0 MGD	0 MGD	0.012 MGD
Total				0.110 MGD
Proposed				
<i>Phase 1 (2018)</i>				
Retail (existing)	0.069 MGD	0 MGD	0 MGD	0.069 MGD
Office (existing)	0.012 MGD	0 MGD	0 MGD	0.012 MGD
Retail (new)	0.025 MGD	0 MGD	0 MGD	0.025 MGD
Office (new)	0.018 MGD	0 MGD	0 MGD	0.018 MGD
Residential (new)	0.174 MGD	0 MGD	0 MGD	0.174MGD
Irrigation	0 MGD	0.014 MGD	0 MGD	0.014 MGD
Phase 1 Total				0.313 MGD
Net total				0.203 MGD
<i>Phase 2 (2023)</i>				
Retail (existing)	0.052 MGD	0 MGD	0 MGD	0.052 MGD
Office (existing)	0.012 MGD	0 MGD	0 MGD	0.012 MGD
Retail (new)	0.082 MGD	0 MGD	0 MGD	0.082MGD
Office (new)	0.062 MGD	0 MGD	0 MGD	0.062 MGD
Residential (new)	0.353 MGD	0 MGD	0 MGD	0.353 MGD
Irrigation	0 MGD	0.014 MGD	0 MGD	0.014 MGD
Phase 2 Total				0.573 MGD
Net total				0.464 MGD
<i>Phase 3 (2033)</i>				
Retail (existing)	0.000 MGD	0 MGD	0 MGD	0.000 MGD
Office (existing)	0.012 MGD	0 MGD	0 MGD	0.012 MGD
Retail (new)	0.094 MGD	0 MGD	0 MGD	0.094 MGD
Office (new)	0.062 MGD	0 MGD	0 MGD	0.062 MGD
Residential (new)	0.669 MGD	0 MGD	0 MGD	0.669 MGD
Irrigation	0 MGD	0.019 MGD	0 MGD	0.019 MGD
Phase 3 Total				0.856MGD
Net total				0.746 MGD

* Source: City of Lauderhill

Revised Table 17.2 GENERATION RATES - POTABLE WATER DEMAND			
Phase/Land Use	Units	Generation Rate*	Demand (MGD)
Existing			
Retail	676,493 sq. ft.	145 GPD per 1,000 sq. ft.	0.098 MGD
Office	82,210 sq. ft.	145 GPD per 1,000 sq. ft.	0.012 MGD
Existing Total			0.110 MGD
Phase 3 (2033)			
Retail	650,000 sq. ft.	145 GPD per 1,000 sq. ft.	0.094 MGD
Office	507,480 sq. ft.	145 GPD per 1,000 sq. ft.	0.074 MGD
Residential	2,500 units (6692.6 persons)	100 GPD per capita	0.669 MGD
Phase 3 Total			0.837 MGD
Net total (minus existing demand)			0.727 MGD
*Source: City of Lauderhill			

Revised Table 17.3 POTABLE/NON-POTABLE WATER SUPPLY				
Phase/Land Use	On-Site Supply			Off-Site Supply
	Groundwater	Surface Water	Total	
Existing				
Retail	0 MGD	0 MGD	0 MGD	0.096 MGD
Office	0 MGD	0 MGD	0 MGD	0.012 MGD
Total	0 MGD	0 MGD	0 MGD	0.110 MGD
Proposed				
<i>Phase 1 (2018)</i>				
Retail (existing)	0 MGD	0 MGD	0 MGD	0.069 MGD
Office (existing)	0 MGD	0 MGD	0 MGD	0.012 MGD
Retail (new)	0 MGD	0 MGD	0 MGD	0.025 MGD
Office (new)	0 MGD	0 MGD	0 MGD	0.018 MGD
Residential (new)	0 MGD	0 MGD	0 MGD	0.174 MGD
Irrigation				0.014 MGD
Phase 1 Total	0 MGD	0 MGD	0 MGD	0.313 MGD
Net (less existing)				0.203 MGD
<i>Phase 2 (2023)</i>				
Retail (existing)	0 MGD	0 MGD	0 MGD	0.052 MGD
Office (existing)	0 MGD	0 MGD	0 MGD	0.012 MGD
Retail (new)	0 MGD	0 MGD	0 MGD	0.082MGD
Office (new)	0 MGD	0 MGD	0 MGD	0.062 MGD
Residential (new)	0 MGD	0 MGD	0 MGD	0.353 MGD
Irrigation				0.014 MGD
Phase 2 Total	0 MGD	0 MGD	0 MGD	0.573 MGD
Net (less existing)				0.464 MGD
<i>Phase 3 (2033)</i>				
Retail (existing)	0 MGD	0 MGD	0 MGD	0.000 MGD
Office (existing)	0 MGD	0 MGD	0 MGD	0.012 MGD
Retail (new)	0 MGD	0 MGD	0 MGD	0.094 MGD
Office (new)	0 MGD	0 MGD	0 MGD	0.062 MGD
Residential (new)	0 MGD	0 MGD	0 MGD	0.669 MGD
Irrigation				0.019 MGD
Phase 3 Total				0.856 MGD
Net (less existing)				0.757 MGD

C. COMMENTS BY THE CITY OF LAUDERHILL

Question 5

Comment: It would be helpful if the net size in square feet for each of the described parcels, the net size in square feet for the combined parcels, and the gross size in square feet for the combined parcels were identified. The gross size equals the net size plus one-half of any abutting rights-of-way. This information would allow the Department to confirm the net and gross size of the DRI property, the residential dwelling unit net and gross densities, and the nonresidential intensities. It should be noted that this information would be required when the site plan application is filed; Thus, it is recommended the ADA be amended to add this information,

Response: *The requested information is provided in the following table:*

<i>Individual Parcels</i>	<i>Area (square feet)</i>	<i>Area (acres)</i>
<i>The Mall Parcel</i>	<i>1,973,459.17</i>	<i>45.30</i>
<i>The Ideal Building Parcel</i>	<i>30,628.49</i>	<i>0.70</i>
<i>Total Net Area</i>	<i>2,004,087.66</i>	<i>46.0 acres</i>
<i>Total Gross Area</i>	<i>2,191,312.66</i>	<i>50.31 acres</i>

Question 8

Comment: Two other approvals are required from the City of Lauderhill: a development order for a zoning district map amendment and a development order for a site plan. Thus, it is recommended the ADA be amended to add this information.

Response: *The Applicant acknowledges that the two (2) above-described approvals will be required and hereby amends the ADA to include these City of Lauderhill approvals.*

Question 9

Comments:

(a) Map D. An aerial photograph is offered as the required land use map. The land use map must show existing and approved uses on and abutting the site. The aerial photograph shows the building configurations abutting the site but not the abutting existing and approved uses, The land use map also must show existing on-site land uses but the aerial photograph does not display these uses, The land use map should show, at a minimum, the following on-site land uses: an office building, a retail mall, a public transit station, and open space, in addition, utility and drainage easements are required to be displayed but are not shown on the map. Thus, it is recommended the ADA be amended to add this information.

(b) Map H. A master development plan for the site must be provided and it should show, among other requirements, development phasing, transit stops, and pedestrian ways; The

Department finds a conceptual master development plan is provided for Phase 3 but not Phases 1 and 2. Further, the plan does not clearly show the location of the public transit station, the pedestrian ways, and the canal promenade or greenway. These are critical land uses for a transit-oriented development. Further, the plan should generally identify the location of open spaces, including green areas and hardscape plazas.

(c) Map J. A map showing the existing highway and transportation network within the study area is required. The provided map shows Commercial Boulevard as the northern boundary of the study area but it does not clearly show the other study area boundaries. It also does not show the public transit Stations within the study area, which include the Lauderhill Mall station and the central station near Broward Boulevard and University Drive,

Response: *The maps have been revised in accordance with the foregoing comments. Please note that Map J has been updated with bus terminals. We feel that the boundaries have been clearly indicated and include: Commercial Boulevard to the north, Andrews Avenue to the east, Interstate 595 to the south, and Nob Hill Road to the west. Regard Map D, the land use map has been revised to show abutting uses. Map D.1 has been created to show on-site uses. All of revised maps are attached as Composite Exhibit A.*

Question 10 - Part 1

Comment (a): Major elements

The response identifies the proposed project as a mixed-use development intended to create a "downtown" that minimizes external traffic generation, that fosters pedestrian trips, and that encourages public transit trips. The discussion focuses on office, retail and residential land uses but also identifies other land uses, including a public transit station and open space/pedestrian network. Table 10.A, however, only shows the project intensity for three land uses (office, retail and residential) at build-out. The Department requests the response be amended to expand the description of the existing and proposed public transit station and open space/pedestrian network. The public transit response should describe the general location, the size in square feet, and the bus capacity of the existing and proposed public transit station. The bus capacity should be sufficient to meet the public transit needs through all phases of development. The open space/pedestrian network response should discuss the general location and types of open space, the size in square feet and pedestrian access to abutting land uses. The response also describes the three phases of development. The Department notes that representations were made that Phase 3 would not occur unless certain public transit standards were met, such as 5-minute headways. The response does not discuss any limitations on Phase 3. Thus, the Department recommends the response be amended to address this issue. The Department concludes that vehicular parking is a major element and finds that the response does not discuss vehicular parking. The Department requests the response be amended to add a discussion of existing and proposed parking spaces. It should describe by phase the general location, the type of parking (ground or structure), and the number of parking spaces by location. It also should discuss how parking would be managed during redevelopment.

Applicant's Response: *Bus transfer station: The proposed bus transfer area is not an enclosed facility, but a centralized area of internal streets with on-street parking for up to 20 buses. As previously explained, the City Center will accommodate transit riders by replacing an existing bus transfer area currently located on the north side of the development with a relocated bus transfer area*

located temporarily on the east side of the development, facing State Road 7. Eventually, the bus transfer area will be placed at the heart of the development, which will allow buses to simultaneously enter the Center from State Road 7 and wait for riders in one convenient centralized location.

The existing bus transfer station is located north of the existing mall with a capacity of 6 buses. As mentioned above, the relocated and reconfigured area will accommodate up to 20 buses – more than 300% increase in bus capacity.

The proposed bus transfer location will not only accommodate more buses, but its location and design will also increase ridership. First, the transfer station will provide bus-riders with an opportunity to enjoy supportive surrounding amenities including shops, restaurants, and shaded open space. These amenities may serve as either the ultimate destination or activities for bus riders to enjoy while they wait for connecting bus routes. Bus riders will have the option to grab a bite to eat, peruse a shop, or sit in the shade and wait for the next bus to arrive. This will facilitate a more comfortable experience for the rider and support a missing component of existing bus transfer stations in Broward County.

Moreover, and as pointed out by McMahon Associates, Inc., in the “Multi-Modal, Trip-Reduction Justification,” which was submitted to the South Florida Regional Planning Council on May 30, 2007, and the “Transportation Methodology (Third Version),” dated June 12, 2007, which was submitted as part of the ADA, the Applicant anticipates several transit-amenity improvements that will further increase bus ridership. These amenities include unique/attractive shelter (2% increase); illumination (2% increase); passenger amenities (3% increase); passenger services (3% increase); high frequency service (4% increase); off-vehicle fare collection (3% increase); level boarding (5% increase). While these amenities provide a cumulative 22% increase in ridership, the Applicant agreed at the June 7, 2007, methodology meeting that a 15% increase may be applied to existing transit ridership for purposes of estimating proposed usage of public transit as a result of the Lauderhill City Center DRI.

Open Space Network: At build-out there will be approximately 558,665 square feet of open space, that is, areas that are open to the sky, not including roads, such as plazas, sidewalks and green spaces in the Lauderhill City Center. Of that total area, 250,212 square feet will be green space. The most notable and largest green/open spaces will be a plaza at the center of the development and the area surrounding the existing Ideal Building. These areas of the City Center will consist of a large grassy area and will provide shade from trees. Other areas for residents and visitors to relax will be in front of the buildings, at restaurants and outdoor cafes.

It is important to remember that the Lauderhill City Center is a high-density, urban development. Most developments of this nature do not have large open spaces at their center. What is typical of urban development is that there are open spaces within reasonable distances that provide breaks from the urban landscape. The Broward County Regional Park, which is situated almost directly across the street from the City Center, provides the development with the open space relief.

Phase 3 Limitations: The Applicant anticipates that Phase 3 will occur only if the net additional traffic generated by Phase 3 will be accommodated through transit usage.

Parking: Currently, the subject site (including outparcels) has 2207 surface parking spaces that surround the entire Lauderhill Mall. The number and type of spaces that are proposed during each phase of development of the proposed Lauderhill City Center are as follows:

Phase	Surface Parking	Structured Parking	Total Parking
Existing	2,207	0	2,207
Phase 1	1,708	2,003	3,711
Phase 2	55	4,266	4,321
Phase 3	0	6,296	6,296

The location of the parking spaces for each phase of development and the Applicant's plan for managing parking throughout the redevelopment process is described in response to comment (c) of the City.

Comment (b): Existing and proposed land uses

The response addresses existing and proposed land uses in Table 10.B.2. The Department requests this Table be amended to address two issues. First, the Table should be amended to add the size of land uses that are being demolished as described in the response to Question 10.A. This provides for internal consistency. Second, the Table should identify all existing and proposed land uses. The Table does not include data on the size of the existing and proposed public transit station and the amount of open space.

The response generally discusses the equivalency matrix as identified in Table 10.B.1. The equivalency Table allows land uses to be swapped or exchanged for other land uses based on a traffic generation formula. The Table establishes minimum project thresholds of 1,250 residential units, 212,500 square feet of office, 325,000 square feet of retail and no hotel rooms. Based on Table 10.A., this means that 1,250 residential units, 294,710 square feet of office, and 325,000 square feet of retail space can be swapped or exchanged. This represents more than 50 percent of the development. While the Department supports some flexibility in exchanging land uses to meet market demand, the Department concludes a minimum project threshold of 50 percent of the project build-out is unsupported.

The Department notes that the equivalency matrix and minimum project threshold does not set any restrictions on exchanges. For example, it would allow the 204,710 square feet of office space to be exchanged for 873 residential units and the 325,000 square feet of retail space to be converted into 11,983 residential units. This result is clearly unacceptable. Thus, the Department recommends the response to Question 10.2, be revised to address the above-described issues.

Applicant's Response: *The amount of office and retail space demolished during each phase of the proposed development has been added on the Revised Table 10.B.1. Also, the amount of open space (including right of way and sidewalks), existing and during each subsequent phase of development has been provided on Revised Table 10.B.2 (with the exception of Phase 1, as explained in the footnote). The Revised Table 10.B.2 is attached hereto as Exhibit J.*

As for the proposed bus transfer area, the Applicant does not propose to construct an enclosed bus transfer facility, but rather, the Applicant proposes to provide a centralized bus transfer area where as many as 20 buses can be accommodated by on-street parking located along an internal grid of streets, an internal "local" bus stop (located across the street from the central plaza), and an express-stop circle driveway along SR 7/US 441. As such, the square footage of the proposed bus transfer area is

not included in Table 10.B.2 because it is not a land use type specified in Florida Statutes Section 380.0651 or Florida Administrative Code Chapter 28-24.

With respect to the comments regarding the proposed equivalency matrix, please refer to Exhibit B and the information provided by McMahon Associates, Inc., in response to Comment 9 from the Florida Department of Transportation and Comment 1 from the Department of Community Affairs.

Comment (c): Existing activities

The response generally identifies the on-site buildings, describes the history and decline of the DRI property, and explains why it is ripe for redevelopment. It does not, however, describe existing activities. The Department recommends the response be amended to generally describe the type of businesses operating from the various buildings and structures.

The response does not address constraints or special planning considerations. The Department concludes that a redevelopment project directly affects existing businesses and parking demand and that these two constraints merits special planning consideration. Thus, the Department recommends the response be amended to generally address these issues.

Applicant's Response: *The main Lauderhill Mall currently features a mix of 79 small retail shops and other commercial establishments. Items sold in the various retail stores range from shoes and clothes to jewelry and watches to mobile phones and other electronic equipment. The main mall also includes a number of food service establishments and restaurants. Other buildings on the site include office space and a bank.*

An integral part of the proposed redevelopment program is to sustain the retail and service tenants that are currently located in the existing Lauderhill Mall. The Applicant recognizes that these tenants play an important economic and cultural role in the City of Lauderhill, and we believe that the proposed Lauderhill City Center will provide expanded opportunities for existing tenants in addition to attracting new retail and service tenants to address City needs that are currently not being met.

The first phase of the redevelopment plan will focus on the revitalization of a substantial portion of the existing mall, the construction of new infrastructure to support future redevelopment, and then the initial redevelopment of the existing surface parking lots and outparcels that surround the existing mall. The second phase of the project will involve further redevelopment of the surface parking lots surrounding the mall until the entire mall is nearly surrounded with new development. The exact sequencing of redevelopment within the first two phases will depend on market demand.

Significantly, as the new mixed-use buildings are constructed, tenants of the existing mall will gradually move their businesses into the new buildings and vacate the existing mall structure. During the final phase of redevelopment, the existing mall will be completely empty and then demolished. After the mall is demolished, additional infrastructure and mixed use buildings will be constructed in the area on which the existing mall is located.

Movement of existing mall tenants to new development is a significant factor in how the Applicant will manage parking during the redevelopment plan. As the mall is revitalized and a substantial portion of internal street network constructed during the first two phases of redevelopment, the existing surface parking lots will be reconfigured to provide more parking than what currently exists to serve the existing mall uses. Then each pod will be redeveloped in a manner that provides for its own parking -- each pod will have enough parking to satisfy the demands generated by the uses on that particular

pod. The parking spaces will be located in parking structures that are integrated into the mixed-use or residential buildings (as the case may be). Meanwhile, the Jordan-Marsh building and Winn-Dixie building will be demolished early in the redevelopment plan and those areas will be converted to surface parking lots so additional parking spaces are available to serve the mall uses. As mentioned above, tenants of the mall will gradually relocate to new buildings and their parking needs will be satisfied by the parking facilities integrated into those new buildings. By the time the final phase of redevelopment is reached and all the surrounding surface parking lots have been redeveloped, the mall will be empty and no longer generating a demand for parking.

Comment (d): Project demand

The response offers a description of how the demand for office, retail and residential space was determined. The demand for office space is noted to be the most 'unproved' commodity. Table 10.B.2 shows 82,210 square feet of existing and 507,210 square feet of proposed office space, a 600 percent increase in office space. The equivalency table would allow a minimum of 212,500 square feet of office space or a 250 percent increase over the existing amount of office space and would allow the remaining 294,710 square feet of office space to be exchanged for 873 residential units. The justification for this demand is the DRI property's central location, its proximity to the regional transportation network, and the on-site public transit facility. The Department concludes the response does not provide substantial competent evidence to establish the demand for office space.

The demand for retail space is based on existing demand. Table 10.B.2 shows 598,469 square feet of existing and 650,000 square feet of proposed retail space, or less than a nine (9) percent increase. The equivalency table would allow a minimum of 325,000 square feet of retail space, a loss of 273,469 square feet or 45 percent less than existing. The Department concludes that based on the totality of the circumstances, the demand for a nine percent increase in retail space over 25 years and serving 2,500 new residential units is reasonable.

The Broward County Evaluation and Appraisal Report (EAR), the DRI property's central location and access to the transportation network, and the project's mixed-uses are offered to support the demand for residential units. Table 10.B.2 shows no existing units and 2,500 proposed units and the equivalency table would allow 1,250 units. The EAR notes that by 2030, Broward County's population will increase by 925,000 persons and it suggests that the DRI property could capture a portion of this demand. The Department concludes the response does not provide substantial competent evidence to establish the demand for residential units. In conclusion, the Department recommends the response be amended to address the above-identified issues.

Applicant's Response: *The SR 7/U.S. 441 corridor, throughout Broward County and particularly in the City of Lauderhill, features minimal office space. As such, the Treasure Coast Regional Planning Council and South Florida Regional Planning Council pointed out in the SR 7 Collaborative Master Plan that significant office development is an important component in the revitalization of the corridor and should be incorporated into the City's town center – which is the proposed Lauderhill City Center. Moreover, according to the Urban Land Institute (ULI) 2004 Advisory Services Panel Report, "State Road 7/U.S. 441 Corridor; Broward County, Florida" (the "2004 Corridor Report"), the number of office jobs expected to be created within the corridor by 2020 and 2030 is 19,904 and 32,344, respectively. The ULI estimated that such job demand will enable the corridor to absorb more than 10.5 million square feet of office space by 2020, and 17 million square feet by 2030.*

The Applicant respectfully submits the extremely close proximity of the Lauderhill Mall site to regional transportation links and the integration of transit into the plan of redevelopment will make the site an

attractive place for offices to locate within the SR 7/U.S. 441 corridor. As more companies seek ways to retain employees in the face of rising commuting times and expenses, the Lauderhill City Center will enable office employees to either live within the same site and commute by foot instead of by car, use emerging transit options to get to the site without getting into their cars, or drive to the site which is centrally located within Broward County and near two major roads. The importance of these features is underscored by the fact that only 14% of the corridor's workforce earns more than \$50,000 per year (in 1999 according to the ULI) and the potential for relieving those households from the burdens of car ownership (many of which can't assume the burden in any event) is great. Thus, by virtue of the Lauderhill City Center's location and transit-oriented design, and in light of the projected market demand, the Applicant believes that the proposal to include 425,000 square feet of new office space at build out – or 2.5% of the total demand of 17 million square feet of office space within the SR 7/U.S. 441 corridor – is more than realistic.

Nevertheless, the Applicant anticipates some flexibility in the exact intensities of the various uses that will be incorporated into the proposed City Center, and will develop those uses at the levels that appropriately meet market demand. Further, it is important to note that the Applicant does not anticipate that all of the office space will be devoted to general office use. There is a great potential for institutional office uses to locate in the City Center. The Applicant has already received significant interest from institutional uses in the existing mall and expects the same demand only to increase with the emergence of the proposed City Center.

As far as residential uses are concerned, the Applicant agrees that there is no guarantee that 2,500 residential units will be placed in the Lauderhill City Center given the 20 year build-out duration. However, the ULI estimated in its 2004 Corridor Report that the SR 7/U.S. 441 corridor will absorb 450 multi-family units and 1,010 rental units, per year, through 2020 – a total of more than 23,000 multi-family housing units (this figure does not include demand figures for detached single family dwellings, which is only about 2.5% of the annual demand) by 2020. The annual demand rates are only expected to grow between the years 2020 and 2030, with the number of housing units required within the corridor nearly doubling over that duration (from 29,100 single and multi-family units in 2020 – 80% of which is multi-family – to 53,200 units in 2030). Therefore, based on projected population growth and job demand within the SR 7/U.S. 441 corridor, a dwindling demand for detached single family dwellings, numerous employment opportunities that will be available in the City Center, and the City Center's strategic transit-oriented design, it is safe to expect that a significant number of people will choose to live in the City Center. The Applicant's proposal only seeks to capture about 5% of the total corridor demand at build out (2500 units out of approximately 50,000 required) and for that reason we believe the proposal is well founded.

Again, the Applicant seeks flexibility in the proposed plan of redevelopment and will develop residential uses in a way that balances the mix between retail and office uses and to meet the demand of the local residential market.

Comment (e): Project cost table

Table 10.F is offered in response to this requirement. The Department does not find any documentation to support the project costs. Thus, the Department recommends the response be amended to provide documentation to support them.

Applicant's Response: *The Applicant provided the project costs information in the initial ADA as required by the South Florida Regional Planning Council.*

Comment (f): Urban form end functions

The response notes the project has been planned as a transit-oriented development and that prominent feature" of the development is the centrally located public transit facility, The Department notes the development will be subject to the City architectural design standards. Also, the City has received a draft "SmartCode" that, if adopted, would apply to the development.

Applicant's Response: The Applicant acknowledges these requirements.

Question 17.H

Comment: The response cites a Land Development Regulation providing a potable water level of service standard of 135 gallons per capita. The Department notes the Comprehensive Plan recently was amended to provide a potable water level of service standard of 110 gallons per capita to 2010 and 100 gallons thereafter. The LDR has yet to be amended consistent with the plan,

Applicant's Response: The Applicant has computed revised water demand projections using, in pertinent part, the 100 gallon per day per capita standard level of service rate that will be implemented in the years following 2010.

Question 26**Comment (a): Recreation facilities**

The response notes 12.6 acres of open space will be provided at build-out but the size at the end of each phase is not provided. **The 12.6 acres of open space is not reflected in the Table 10.B.2 and that table needs to be amended to address open space.** It is unclear whether the DRI ADA will provide for a movie theatre. If so, then the number of screens and seats needs to be identified. If not, a statement affirming the lack of such use should be stated clearly. Thus, the Department recommends the response be amended to address the identified issues.

Applicant's Response: The Applicant provided the open space area in Table 10.B.2, under the heading "OTHER (ROW and Open Space)". Specifically, at build out, the exact amount of open space (defined for current purposes as areas that are open to the sky, not including roads, such as plazas, green spaces and sidewalks), is 558,665 square feet, or 12.8 acres. The amount of open space at the conclusion of Phase 2 is 523,865 square feet, or 12.0 acres (the difference between these figures and those included on Table 10.B.2. represents the street infrastructure area). The locations of the open spaces at the conclusion of Phase 2 and at build out are depicted in the figures attached hereto as Composite Exhibit K.

At this time, the Applicant does not believe that a movie theater will be included in the Lauderhill City Center, although the possibility of including one should not be precluded. The precise location of any such movie theater is difficult to determine, although it will most likely be located in the eastern portion of the City Center along SR 7/U.S 441.

Comment (b): Public access land

The response notes public access lands or water will not be used for hunting, fishing, boating or other recreational use. The response to Question 26.e., however, states the project "will create a

walking trail or promenade along the canal, a feature that is not available to users of the existing site." The Department notes that a trail is a recreational use and that this trail provides public access to land for passive activities, such as walking and jogging. Public access to water can be available through a "lookout point" offering pleasant views of the water and development. The Department notes the trail is shown on the City's Greenway Map (attached). The Department also notes an existing pedestrian bridge connects the Mall to the residential multifamily developments west of the canal. Although bridge ownership is in dispute, all interested parties would agree to pass ownership to the developer. A pedestrian bridge connecting the DRI property to the abutting residential multifamily developments is a critical pedestrian issue. The response does not discuss the bridge. Thus, it is recommended the response be amended to address the issues described above.

Applicant's Response: *The Applicant provided in the initial ADA all the information requested in Question 26. As stated in the initial ADA, the Applicant does not propose to remove or otherwise eliminate public access to lands previously used for hunting, fishing, boating or other recreational purposes. Rather, the Applicant proposes to add a walking trail along the canal, and like other open areas of the proposed City Center (such as sidewalks), the walking trail will be open to the public. The Applicant also recognizes the importance and utility of the existing pedestrian bridge (which would connect the adjacent residential neighborhoods to the proposed City Center complex) and intends to retrofit and maintain the existing pedestrian bridge as part of the redevelopment plan.*

Comment (c): Open space dedication

The response states that parks will not be dedicated but it does not address park facility maintenance. Several observations are offered. First, the City parks level of service standard is 3 acres per 1,000 persons. Table 10.3.1 shows 3,750 residents, and with visitors could be 4,000 persons. Thus, 12 acres must be dedicated or the park impact fees associated with the development must be paid. Second, if parkland is not dedicated, then public access easements will be required. Third, the City expects the Developer to maintain all on-site parklands. Thus, it is recommended the response be amended to address the issues described above.

Applicant's Response: *Given that the site of the proposed Lauderhill City Center does not include enough land areas to dedicate 12 acres for park purposes, the Applicant acknowledges that park impact fees must be paid at an appropriate time. Further, the Applicant will grant all required public access easements as determined by the City of Lauderhill at the appropriate time when such easements must be granted.*

Comments from Juan Martin Cala, City of Lauderhill Public Works Director

Question 14: Ground/Surface water:

Comment: Final phase of development calls for dredging and connecting to City's Canal F. All work within canal R/W needs to be coordinated with the City including any flood control improvement in Canal W prior to discharge into C-12.

Applicant's Response: *The Applicant will carefully coordinate any activity impacting the surrounding canals or drainage system.*

Question 16: Floodplains:

Comment: Finished floor elevation for new developments near this location has been 10.0 feet (vs. 8.0 feet)

Applicant's Response: *The Applicant will ensure that at the time of site plan approval and permitting, the finished floor elevations for the various structures in the Lauderhill City Center will be established at an elevation that satisfies all applicable design requirements. As stated in the initial DRI ADA, the entire project site is located in Zone AH (Elev. 8) and therefore, all proposed finished floor elevations will be constructed at or above Elev. 8 (NGVD.)*

Question 17: Water supply

Comment: The demand for 0.945 Million Gallons per Day of potable water at build-out seems excessive. Also the paragraph included in Part F (pg 6, 0 17) is incorrect: The letter from DEES included in Exhibit 5 (with my signature) allocates water for 0.203 MGD for Phase 1 only, and for a 36 month period from Dec 4, 2007. Additional allocations will have to be requested accordingly.

Applicant's Response: *Please see the revised potable and non-potable water projections provided on pages 18-20 of this document.*

Question 18: Wastewater

Comment: The generation of 0.635 Million Gallons per Day of wastewater at build-out seems excessive. As I read it, the County's letter (exhibit 6) indicates that this DRI will be a net decrease of 0.635 MGD of waste water from current land use (this might be why they approved the project), However, by looking at the plans we can only expect an increase! As a matter of fact, the City needs to request the additional capacity for conveyance and treatment as currently is close to full capacity. Furthermore, the proposed wastewater system needs to be conveyed through City's infrastructure and additional Improvements to the lift station and force main system can be expected

Applicant's Response: *The proposed development will result in an increase (not decrease) of 0.635 MGD based upon generation rates provided by the Broward County Water and Wastewater Engineering Division.*

Question 19: Stormwater

Comment: In accordance with LDR, Schedule L, 3.03.A.k "Drainage shall be designed so the storage depth shall not exceed 6 inches. Drainage from a 25-Year 3-day storm event (14 inches) shall be retained on-site. The first inch of runoff shall be treated in swales".

Applicant's Response: *The Applicant will ensure that the designs for any and all stormwater systems will comply with all applicable regulations at the time of permitting.*

Question 20: Solid Waste

Comment: Will waste compactors be required for the expected density of the project?

Applicant's Response: *The Applicant does not anticipate that waste compactors will be required.*

Question 21: Transportation

Comment: McMahon has provided an answer letter, however this company is our traffic consultant too. An area of concern for me is that I could not clearly link the existing mass transit stop (BCC transfer station) with the future site plan development. In addition, how will parking be provided for the office building (Ideal building) on the NW corner of the property?

Applicant's Response: *Please see response from McMahon and Associates.*

Question 22: Air

Comment: This item should be related with open space/green area proposed.

Applicant's Response: *The Applicant answered Question 22 in accordance with the Agreement to Delete Questions.*

D. COMMENTS BY THE DEPARTMENT OF COMMUNITY AFFAIRS

Question 9 – Maps

Comment: Map A. The map is to depict the general location of the subject DRI site, along with the urban service area boundaries and regional activity centers in relation to the project. The map indicates that there are no urban service area boundaries that exist within the limits of the provided map; however, the applicant did not address the potential existence of a regional activity center in the project's vicinity. Please indicate whether or not a regional activity center is located in the vicinity of the project site.

Map B. The aerial photo of the subject site is dated December 28, 2005. Please provide a more recent aerial photo which would better reflect current development conditions of parcels in the vicinity of the subject DRI site.

Map D. The provided land use map does not delineate the boundaries of the existing and approved land uses abutting the site. In addition, the applicant has not identified historic, archaeological, scientific, and architecturally significant resources or lands held for conservation purposes. Please provide a land use map that specifically addresses these features, if applicable.

Map H. The referenced map does not depict the actual development phasing, transit stops, or pedestrian ways. Please provide a legible master development plan map depicting the omitted features,

Applicant's Response: *The maps have been revised accordingly. The revised maps are attached as Composite Exhibit A.*

Question 10, General Project Description

Comment: The person per household figure of 1.5 is based on Broward County's Code of Ordinances related to persons per dwelling unit for developments of 25 dwellings per acre or more. The persons per household figures should be based on the most current U.S. Census data or other professionally accepted data source, such as the Shimberg Center at the University of Florida.

Applicant's Response: *To the extent the Applicant has relied upon person per household data in the Lauderhill City Center ADA, the Applicant has utilized such data as provided by the Shimberg Center. The Shimberg Center data is summarized in the figure attached as Exhibit I.*

Question 21, Transportation

Comment: The applicant has proposed the use of an equivalency matrix. In general the use of an equivalency matrix is not an acceptable practice. The use of equivalency matrices is designed to allow flexibility in a development plan while keeping the number of generated trips the same. They do not account for all of the related impacts of the land use revision. Trips generated by a site have additional characteristics that must be accounted for, in addition to their overall number. These

factors include the enter/exit splits of various land uses and the varying internal capture and pass by rates for various land uses. A matrix also does not adequately address the potential changes in impacts to the transportation network in relation to trip length and distribution.

For example, the calculation of internal and pass by trips are exponential and increase and decrease exponentially with the size of retail development. A land use matrix can only show a linear relationship between uses such as, 1 dwelling unit for "x" amount of commercial square footage. This does not account for the variability of the capture rates. Changes to production rates can also significantly affect attraction and production rates used by the FSUTMS model.

In addition, it appears that the applicant proposes to only use the equivalency matrix for the third phase of development. It is unclear whether or not the applicant also proposes to use the equivalency matrix for the first two phases of development. The applicant states that the equivalency matrix accounted for the variation in internal capture and pass by with each of the development, scenarios; however this information is not provided. Table 21-C-5 provides the entering and exiting volumes that exceed those of the proposed development scenario. In these cases, it is unclear as to how the applicant proposes to mitigate any additional impacts that may result from the varying land use scenarios. The applicant also provides an analysis of the development's impact on area roadway facilities based on the proposed development and phasing plan. If the applicant wishes to change the development plan, the impacts that the new development plan would have on area roadway facilities must be identified and mitigated for.

Applicant's Response: Please refer to Exhibit B and the information provided therein by McMahon Associates, Inc., in response to Comment 9 from the Florida Department of Transportation and Comment 1 from the Department of Community Affairs.

Question 26, Recreation and Open Space

Comment: Map H. The applicant has not located the recreation and open space acreages on the referenced map. Please identify the acreages to be dedicated for recreation and open space uses.

Applicant's Response: Please see Composite Exhibit K.

E. COMMENTS BY BROWARD COUNTY

(Please refer to Exhibit B, and the information provided therein from McMahon Associates, Inc., for the Applicant's responses to comments made by the Broward County Metropolitan Planning Organization and Broward County Office of Transportation, Service Development Section.)

Urban Planning and Redevelopment Department, Planning Services Division:

Comment: This project is 46 acres, proposes to develop 1,157,210. sq. ft. including retail/commercial, office, and 2500 du. We support this proposal as it is designed to encourage pedestrian, open space and green development standards.

Applicant's Response: *Thank you for your support.*

Comment: The applicant should review the proposed retail/commercial and office with other local redevelopment projects such as Carishoca. The retail/commercial area for both projects are focused in the same local market. Our concern is overbuilding the retail/commercial market.

Applicant's Response: *We respectfully disagree with the reviewer that the proposed Lauderhill City Center and the Carishoca project are focused on the same local market.*

In recognition of the importance of the current Lauderhill Mall establishments to the City of Lauderhill, the Applicant intends for a significant portion of the commercial/retail space in the proposed Lauderhill City Center to be occupied by those current tenants. As such, the Lauderhill City Center will continue to serve the same local market that it has served for more than 40 years. To the extent that new retailers will move into the Lauderhill City Center, the Applicant fully anticipates that such establishments will be community based and similar in nature to the current tenants of the Lauderhill Mall, that is, that the primary trade area will be the City Center itself and the residential neighborhoods in the immediate vicinity.

On the other hand, Carishoca, which literally means Caribbean showcase, was designed to provide a venue for Caribbean artists and companies to display and sell unique Caribbean merchandise and art. It targets a specific niche constituency and focuses Caribbean merchandize into a central location. As such, the commercial establishments in Carishoca will not be locally based, and will not necessarily serve the day-to-day needs of the residents of the Lauderhill community.

While they are both located within the City of Lauderhill, the Lauderhill City Center is very different from Carishoca. The Lauderhill City Center is not culturally oriented, but instead is a place that reflects the diversity of the Lauderhill community. It is a place where people of different incomes can enjoy the convenience of an affordable town center environment while at the same time utilize a mass transit system. The Lauderhill City Center will be a TOD and provide a place for people to live, work, and play, while at the same time ensuring that residents can comfortably and conveniently access mass transit. The Lauderhill City Center will relieve residents of the costly burdens of car ownership and allow them to allocate financial resources to their living accommodations, education, and leisure expenses.

Furthermore, the Applicant is using an equivalency matrix to free the redevelopment plan from the constraints of using a fixed set of numbers for its uses. This will allow the redevelopment to adapt to changing market conditions as the project is phased over the course of 20 years. For example, if for some reason there is a glut of retail in the area, the Applicant will adapt and provide more offices or residential units as the market dictates. The freedom that the matrix permits will provide the development with the flexibility to keep the project successful.

Finally, and in addition to the foregoing, the Department of Community Affairs has recently issued a Binding Letter of Interpretation of Vested Rights (BLIVR) which establishes that the Lauderhill Mall is vested with a little more than 691,000 square feet of retail development. A copy of the BLIVR is attached as Exhibit L.

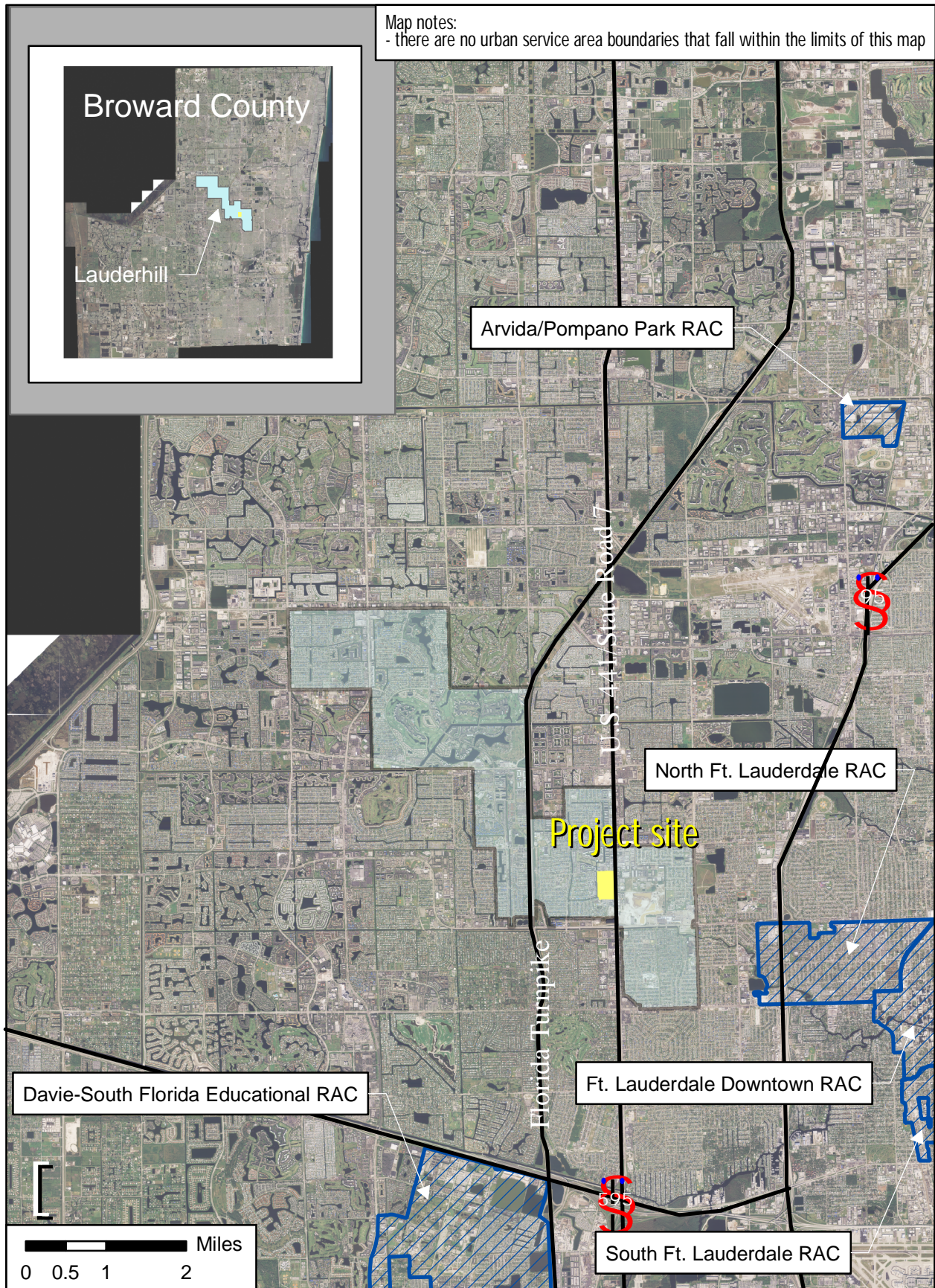
Comment: The applicant should provide a housing and employment study for this project. We suggest the study address other DRIs in the region such as Harrison Park and Metropica located in the City of Sunrise, see the table attached. We believe these DRI projects will cumulatively impact Sunrise Boulevard (Please see the MPO comments).

Applicant's Response: *The Applicant does not believe that the Lauderhill City Center's area of influence extends to or in any way conflicts with that of the Harrison Park and Metropica DRI's. The other DRIs are located more than 10 miles away adjacent to the Sawgrass Expressway. The Applicant does not anticipate that it will pull employees from that location, or that residents within the City Center will work or shop in those developments (at least not on a regular basis). Rather, the Applicant fully expects that most employees within the Lauderhill City Center will reside either in the City Center itself or the neighborhoods of the surrounding community. For those that live beyond the local community, the Lauderhill City Center will target residents who live up and down the SR 7/U.S. 441 corridor, especially given that the City Center will be designed as a TOD to serve that corridor's transportation needs. As reported by the Urban Land Institute in its 2004 Advisory Services Panel Report, "State Road 7/U.S. 441 Corridor; Broward County, Florida," approximately 44% of Broward County residents live within three (3) miles of the SR 7/U.S. 441 corridor. Unlike other redevelopments in the western part of the county, the Lauderhill City Center is uniquely positioned on the SR 7/U.S. 441 corridor and thus, able to provide that centralized population base with a transit-oriented development that is not as feasible elsewhere.*

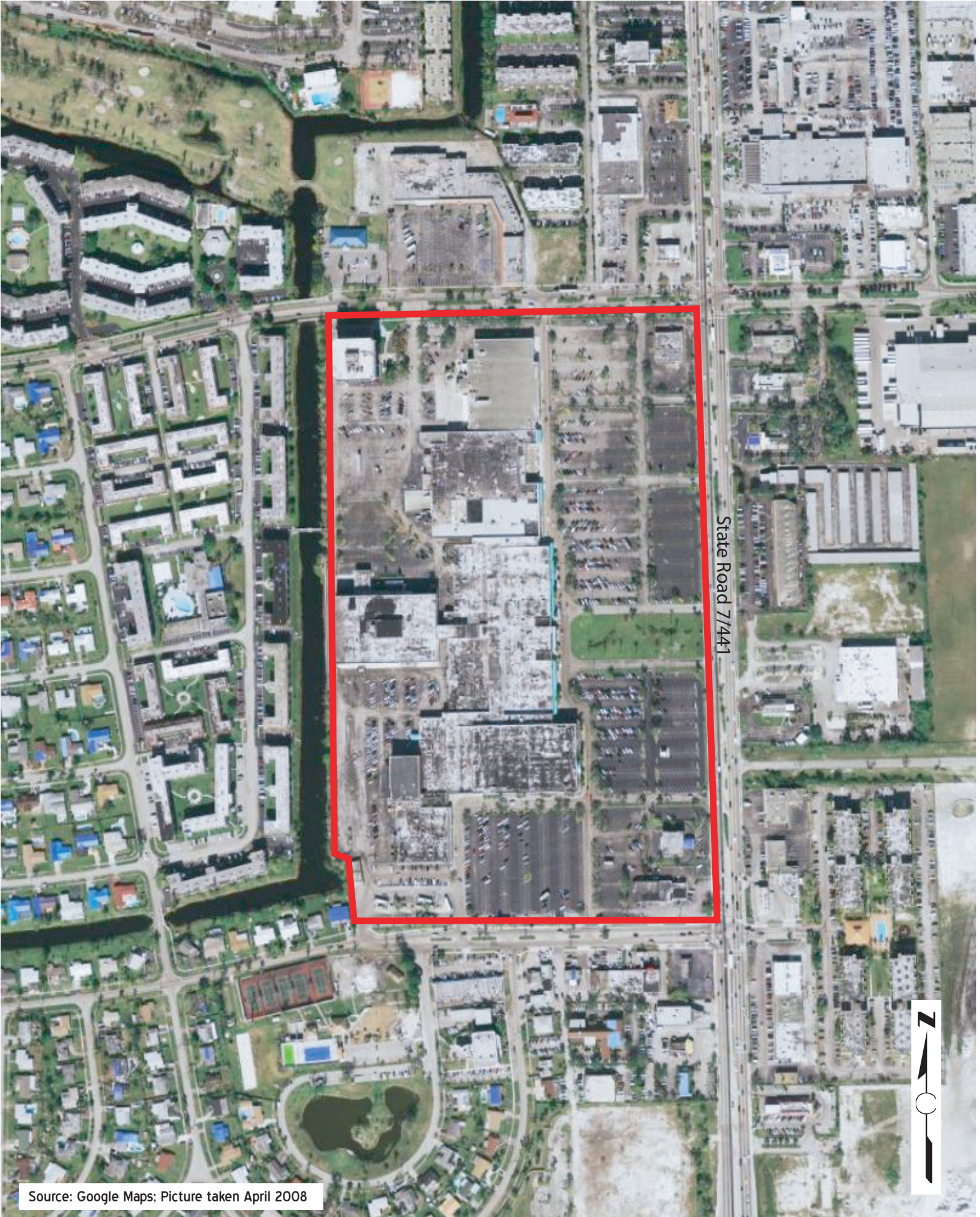
Finally, the Lauderhill City Center will be built in accordance with a plan provides for incremental redevelopment, the timing of which will be dependent on both market conditions and the Applicant's ability to demonstrate to prospective lenders that the amount of development proposed is supported by the necessary market demand. It is only in the Applicant's best interest to ensure that market conditions are right and financial institutions do not typically invest in projects unless they expect to obtain a return on their investment.

Composite Exhibit A

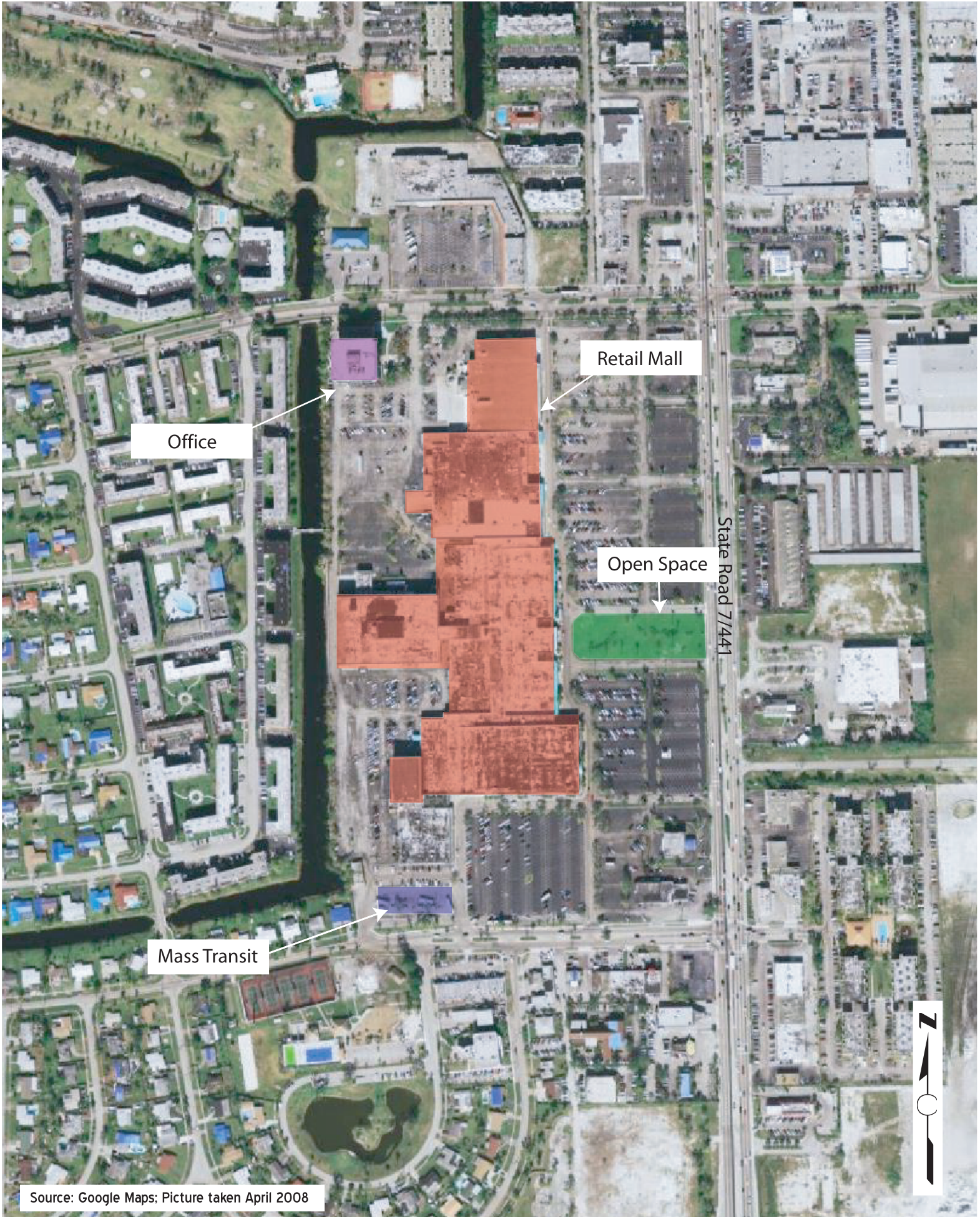
Map A - General Location Map



Source: Broward County Planning Council: Regional Activity Centers 2008

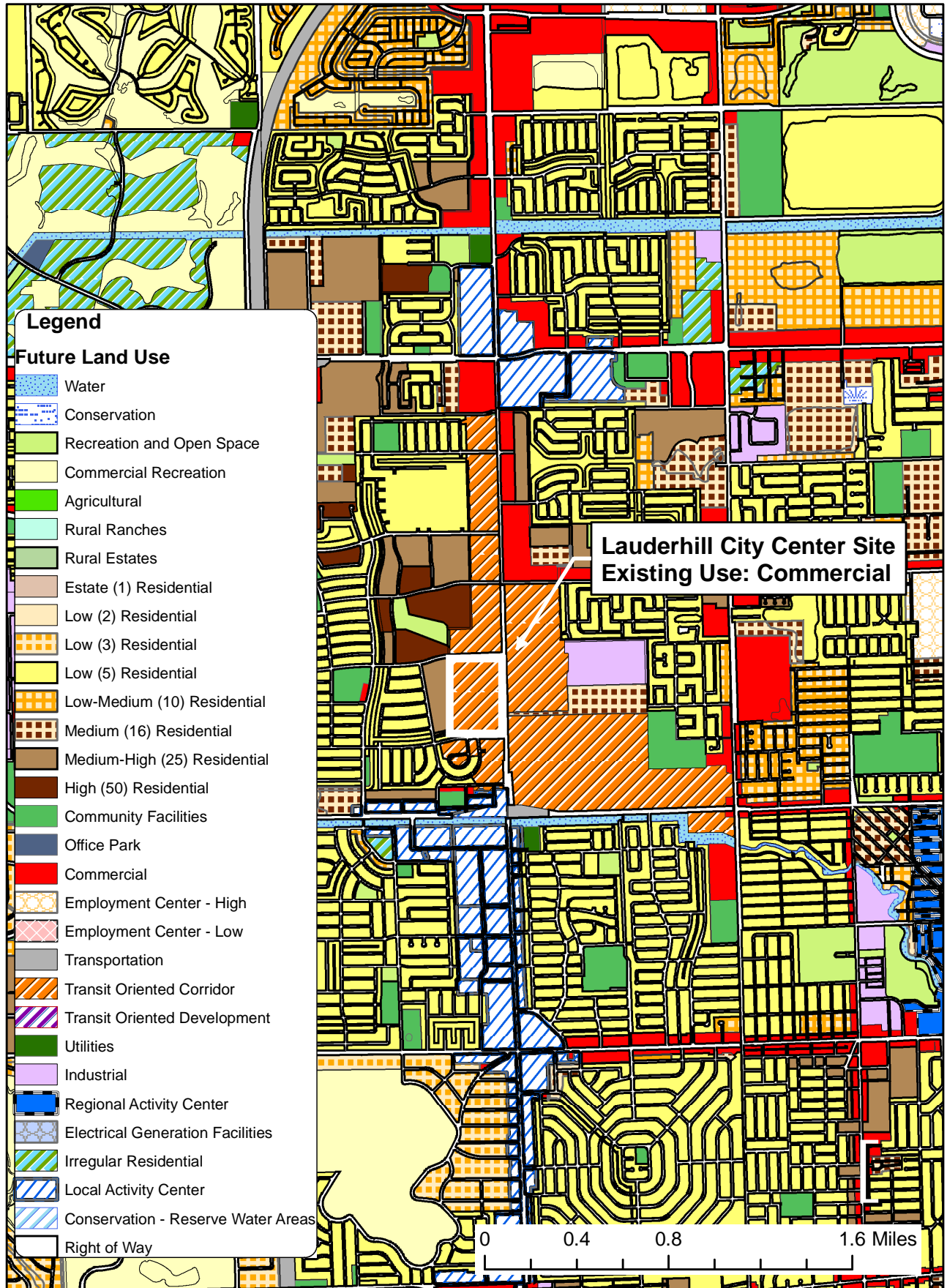


Map D.1 - On Site Land Uses



Source: Google Maps; Picture taken April 2008

Map D - land use map



Source: Broward County Planning Council; Future Land Use Map 2008

Map J - Transportation Network

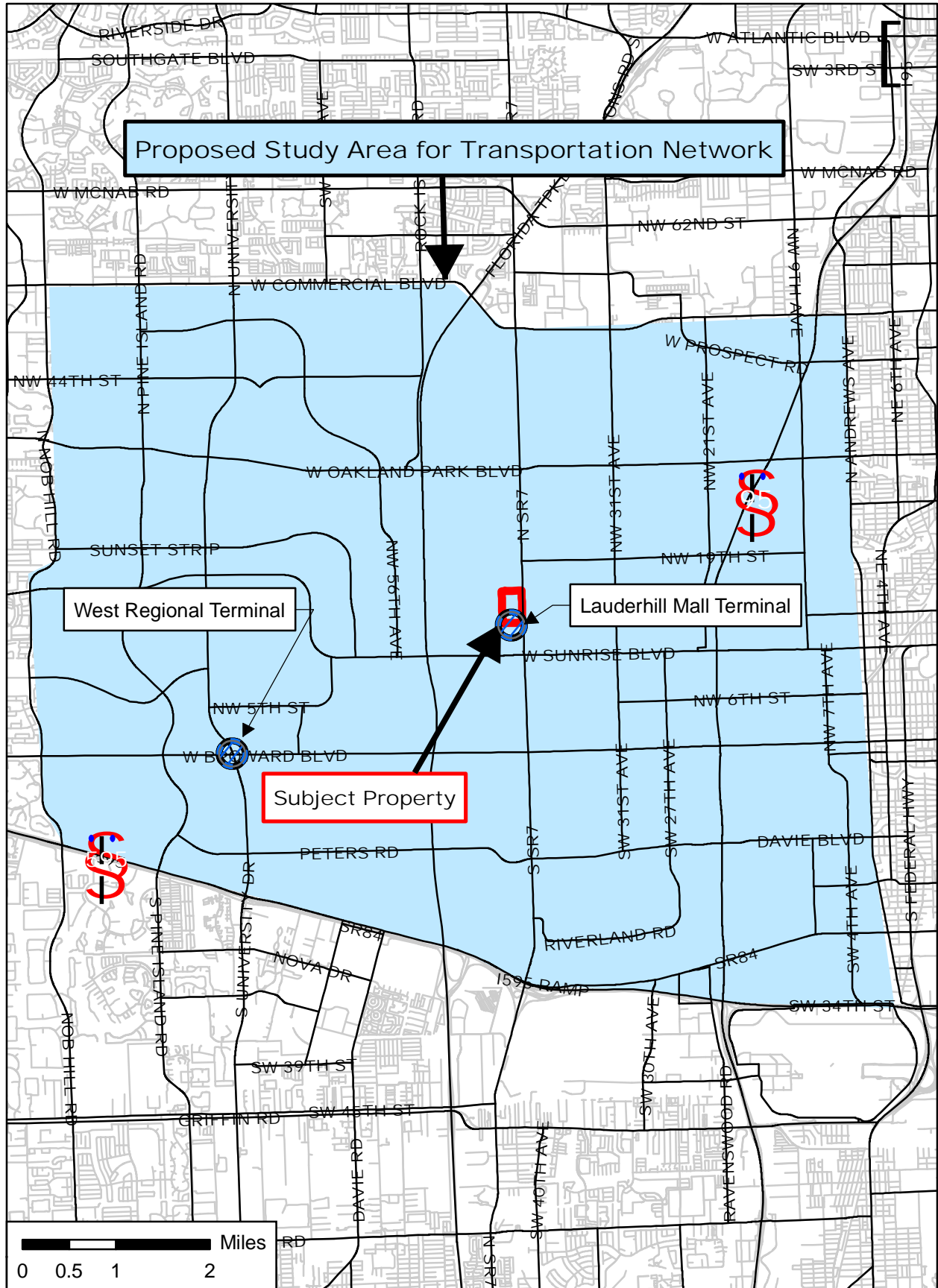


Exhibit B



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December 17, 2008

MJ Matthews
Principal Planner
South Florida Regional Planning Council
3440 Hollywood Blvd., Suite 140
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**RE: Response to Comments for the Lauderhill City Center Development of Regional Impact
Broward County
McMahon Project No. L06598.01**

Dear Ms. Matthews:

McMahon Associates, Inc. (McMahon) is pleased to have this opportunity to address agency comments regarding the Lauderhill City Center Development of Regional Impact (DRI) submitted on January 4, 2008. Based on documentation contained in the Lauderhill City Center DRI, as well as the responses and additional documentation provided herein, it is concluded that the proposed project should be approved.

The comments received from your office on February 5, 2008 are stated below, along with the appropriate responses.

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

A. Existing Conditions

Comment 1: The Applicant's response is insufficient because current transit and pedestrian conditions including levels of service and user information are not discussed.

Response: The Applicant has provided all the information as per the approved Methodology Letter of Understanding (MLOU), dated June 12, 2007. Through existing data collection, the Applicant obtained existing counts on the different travel modes destined to and from the Lauderhil Mall. This information included 15-minute, peak-hour counts at all the driveway connection to the site, and was separated into the different travel modes. These included passenger cars, trucks, buses, school buses, taxi cabs, pedestrians and bicycles. The peak-hour multi-modal information was also summarized. This information is provided, in Appendix A-2 of the DRI report.

B. Projection of Vehicle Trips

Comment 2: The Applicant's response is insufficient because the Applicant has failed to identify and discuss transit initiatives that would warrant establishing credits in earlier phases of development. More detail is needed on proposed transit-amenity improvements. Please define each improvement type. Please state definitively if transit improvements will be included in this redevelopment. Currently, said improvements are anticipated.

Response: As mentioned in the approved MLOU, several research reports/studies were reviewed to determine the most appropriate multi-modal vehicular trip reductions/credits. The findings of these studies were submitted to the reviewing agencies and later discussed at several methodology meetings to determine the appropriate reduction for the project. Because the review agencies could not agree on the appropriate method for crediting future transit initiatives, it was simply agreed that those transit projects within the first three years of the counties work program would be recognized and a percentage reduction in external trips, similar to that recognized to exist currently, would be applied. As stated in the approved MLOU, a 19 percent and 14 percent multi-modal reduction was applied to the Lauderhill City Center DRI, for AM and PM peak hours, respectfully. It is worth stating that these reductions are only slightly higher than the 18 percent and 13 percent reductions currently experienced at the Lauderhill Mall development during AM and PM peak hours, respectively. In actuality, it is expected that, given the proposed development, as well as the proposed multi-modal improvements, while not currently defined, the transit usage will be much higher, in all phases, than what was assumed for DRI analyses purposes.

C. Estimation of Internal/External Split

Comment 3: The Applicant's response appears to be sufficient.

Response: No response is required.

D. Total Peak Hour Directional Traffic

Comment 4: The Applicant's response is insufficient because there is no explanation as to why the transit terminal will not remain onsite. Discuss future location of terminal.

Response: As stated on page 16 of the DRI report, the transit terminal will remain onsite. The current terminal is located along the southern portion of the site. For the proposed development, it is anticipated that the transit terminal will be relocated to a more central location on the site, to provide more convenient access to the entire development.

E. Assignment of Trips Generated

Comment 5: The Applicant's response is insufficient because there is no discussion of transit trip methodology and analysis.

Response: As mentioned in the above response to Section B, extensive research was performed to determine the appropriate multi-modal expectation for the proposed development. The multi-modal methodology, utilized for the proposed Lauderhill City Center DRI analysis, was agreed to with all reviewing agencies and is stated in the approved MLOU and in Question 21, Section C of the DRI report.

F. Roadway Improvements

Comment 6: The Applicant's response is insufficient because there is no discussion of transit links.

Response: While we anticipate that additional, and perhaps, better transit links could occur throughout the course of this project, under the rules of the DRI process, we were only able to recognize transit improvements noted in the first three years of the Broward County Work Program. Any other proposed transit improvements are expected to be an ongoing effort between the Applicant and respective agencies, which include, but are not limited to, Broward County Office of Transportation, Service Development Section, FDOT Office of Modal Development (OMD), City of Lauderhill, City of Lauderdale Lakes and the City of Fort Lauderdale. Initial coordination efforts are already underway.

G. Site Access Plan

Comment 7: The Applicant's response is insufficient because there is no discussion of how bus, bicycle, and pedestrian traffic will navigate site internally and externally. Provide detail on sidewalk characteristics (width, etc). Identify ratio of parking spaces to housing units. Provide more detail on the location and description of parking structure and access points.

Response: While it is certain that pedestrian and bicycle facilities will be provided throughout the proposed development, details on sidewalk and other characteristics have not yet been determined. As mentioned in Section I, Question 21, of the DRI report, the City of Lauderhill is reducing the parking requirements for the proposed development. While it has not been determined at this time, it is anticipated that the proposed ratio, for the proposed site, would be one parking space per housing unit, instead of the two/three parking spaces currently permitted. This is expected to encourage the use of transit facilities to reach offsite destinations, as well as to encourage the use of onsite facilities. Parking for the site is expected to be provided through surface parking areas, and through parking structures. While the external access points for the site are graphically depicted in Map J-12, located on page 93 of the DRI report, internal access points are still being reviewed and will be better defined during site plan reviews at a later stage of development.

H. Consistency With Other Approved Documents

Comment 8: The Applicant's response appears to be sufficient. There should be consistency with the City of Lauderhill's Comprehensive Plan.

Response: No response is required.

I. Provisions for Alternative Modes of Transportation

Comment 9: The Applicant's response is insufficient because there is no documentation on alternative transit modes, such as light rail. More detail on proposed transit improvements is needed. Include discussion on how the project ties into State Road 7 premium transit corridor development and describe what other transit modes are being considered.

Response: Development of Regional Impact (DRI) analyses are only permitted to account for modes that are existing or committed within three years. The project proposes various alternative travel modes including pedestrian, bicycle and transit facilities, all of which are currently experienced at the site. Light rail does not currently service the corridor, nor is funding for such a mode committed within the next three years. Therefore, at the methodology meetings, it was decided that no light rail, or other uncommitted transit improvements, would be included as part of the analysis.

DEPARTMENT OF COMMUNITY AFFAIRS

Comment 1: The applicant has proposed the use of an equivalency matrix. In general, the use of an equivalency matrix is not an acceptable practice. The use of equivalency matrices is designed to allow flexibility in a development plan while keeping the number of generated trips the same. They do not account for all of the related impacts of the land use revision. Trips generated by a site have additional characteristics that must be accounted for, in addition to their overall number. These factors include the enter/exit splits of various land uses and the varying internal capture and pass-by rates for various land uses. A matrix also does not adequately address the potential changes in impacts to the transportation network in relation to trip length and distribution.

For example, the calculation of internal and pass by trips are exponential and increase and decrease exponentially with the size of retail development. A land use matrix can only show a linear relationship between uses such as, 1 dwelling unit for "x" amount of commercial square footage. This does not account for the variability of the capture rates. Changes to production rates can also significantly affect attraction and production rates used by the FSUTMS model.

In addition, it appears that the applicant proposed to only use the equivalency matrix for the third phase of development. It is unclear whether or not the applicant also proposed to use the equivalency matrix for the first two phases of development. The applicant states that the equivalency matrix accounted for the variation in internal capture and pass by with each of the development scenarios;

however this information is not provided. Table 21-C-5 provides the entering and exiting volumes that exceed those of the proposed development scenario. In these cases, it is unclear as to how the applicant proposes to mitigate any additional impacts that may result from the varying land use scenarios. The applicant also provides an analysis of the development's impact on area roadway facilities based on the proposed development and phasing plan. If the applicant wishes to change the development plan, the impacts that the new development plan would have on the area roadway facilities must be identified and mitigated for.

Response: The equivalency matrix was performed to provide flexibility in a development plan while maintaining the same number of generated trips. We concur with the reviewer that trips generated by a site have additional characteristics that must be accounted for, in addition to their overall number, such as internalization, pass-by and distribution characteristics. The net new trips for the different development scenarios, summarized in Table 21-C-5 of the DRI, accounted for internalization and pass-by specific to the alternative development programs. The information has been submitted for your review. While it is possible that the project distribution may differ slightly, depending on the development program, the distributions for Scenario I through Scenario V are not anticipated to be significantly different from the original project distribution. Since Scenario VI through Scenario IX include greater increases/decreases from the original land uses, it is expected that the distribution may vary from the original development distribution. Nevertheless, should the development plan be altered from the original development plan, it is anticipated that a distribution model will be run to determine whether or not any additional analyses need to be performed for the surrounding roadway network. Further, this revised distribution will be provided to all reviewing agencies for review and comment.

FLORIDA DEPARTMENT OF TRANSPORTATION

General Comments

Comment 1: The applicant should propose to include all mitigation measures needed to bring back the adopted level-of-service (LOS) on the significantly impacted and adverse roadway links and intersections. This will enable the review agencies to determine the magnitude of the LOS deficiency and formulate the appropriate measures and cost to mitigate the deficiency. It appears in this submittal that the applicant has not provided this pertinent information.

Response: It is our understanding and belief that the developer/Applicant is responsible for mitigating roadway improvements required as a result of the addition of project trips to the surrounding roadway network. The Applicant is not, however, responsible for mitigation improvements required as a result of background traffic, which is traffic expected to occur due to background growth in the area and is assumed to be existing in a future year before the inclusion of project trips. This traffic does not depend on, and is not influenced by, the construction of the proposed Lauderhill City Center development. The Applicant should, therefore, not be required to mitigate any improvements required by such traffic.

It should be noted that several intersections within the study area currently operate at a failing Level of Service. In addition, roadway improvements required to bring back the study-area intersections to the adopted Level of Service, for background and total traffic conditions, would not be accepted by local government agencies since the proposed laneages would well exceed available right-of-way and would require the widening of several roadways beyond what the government agencies envision, or would approve, for the area. Therefore, the Applicant has already provided a list of recommended roadway improvements, included in Table 21-F-6 of Question 21 of the DRI report, necessary to satisfy their obligation.

Comment 2: The text on the first paragraph of page 11 reads “The approved uses on the site are...” which should be corrected to be “The proposed uses on the site...”

Response: The reviewer is correct. The text has been revised.

Existing Condition Analysis

Comment 3: Pages 5 and 8, Tables 21-A-1 and 21-A-2, *Existing Year Peak-Hour, Peak-Season, Directional Link Analysis* and *Existing Year AADT Link Analysis*: Please include the notes explaining the table headers.

Response: As requested, the notes have been included.

Comment 4: Page 8, Table 21-A-2, *Existing Year AADT Link Analysis*: The volumes noted for Broward Boulevard, from the Florida’s Turnpike to NW 47th Avenue should be 49,200 not 2,570. Please revise.

Response: The incorrect capacity was for Sunrise Boulevard, not Broward Boulevard, from the Florida’s Turnpike to NW 47th Avenue. The capacity has been revised from 2,570 to 49,200. In addition, the 2005 AADT was also incorrect and was revised.

Comment 5: Page 8, Table 21-A-2, *Existing Year AADT Link Analysis*: The 2007 volume for the two segments on S.R. 7, between Davie Boulevard and Sunrise Boulevard are greater than 90% of LOS D Capacity volume of 44,280. Therefore, the last column of the table should be a “Yes” for these two segments.

Response: There was an error in this table. The error has been corrected. The correct table, attached in the revised Question 21 report, indicates that the segments on SR-7, between Davie Boulevard and Sunrise Boulevard are greater than 90% of LOS D Capacity volume. However, the capacity is 49,200, not 44,280, based on the Broward County Roadway Level of Service tables.

Trip Generation

Comment 6: A development project usually is approved for land use, not vested trips; therefore, the applicant should provide documents from DCA and/or local jurisdiction that the Lauderhill Mall has been vested for the original trips. As previously stated by the applicant, a portion of the existing facility is currently under-utilized or vacant, the number of trips found from the field data collection should be used as existing trip generation.

Response: *We concur with the reviewer that, in this case, the development site is vested for land use, not trips. Therefore, no additional documentation is required from DCA or the local jurisdiction agencies. We believe the reviewer has misinterpreted the use of vested trips in the context of this analysis. As mentioned on page 33 of the DRI report, the approved/vested uses for the site include 598,469 square feet of Retail and 82,210 square feet of General Office.*

We recognize, however, that the site is currently under-utilized. Therefore, an analysis was performed to simulate existing (2007) vested roadway conditions, assuming the site was fully occupied. The analysis was performed in this manner, instead of just utilizing existing field data collection as the existing trip generation as the reviewer suggests, since the Applicant could occupy the currently vacant parcels without any additional roadway-mitigation obligations. Further, it should be mentioned that, since the site generates a significant number of existing trips, if the analysis had been performed the way the reviewer suggests, the result would have been fewer net new trips placed onto the surrounding roadway network. Therefore, our analysis represents a more conservative analysis. Table 21-C-4, located on page 34 of the DRI report, summarizes the trip generation for the existing uses and vested uses for the site. The net difference in trips was then added to the collected volumes on the surrounding roadway network to simulate existing (2007) vested roadway conditions.

Comment 7: Pages 12 to 14, Tables 21-B-1 to 21-B-3, Phases 1 to 3 Trip Generation Analysis: Gross Trips: The tables are difficult to follow. The retail component of the proposed development is incorrectly identified for phases 1 and 2. Please revise to show cumulative intensities.

Response: *The proposed developments identified in Table 21-B-1, Table 21-B-2 and Table 21-B-3 for Phase 1, Phase 2 and Phase 3, respectively, are correct and are described on page 11 of the DRI report. The reviewer may be confused because a portion of the existing retail development is being demolished, while new retail development is constructed. However, the intensities shown in the tables are cumulative and are correct. For example, the existing retail development consists of 598,469 square feet. For Phase 1, 175,000 square feet of new retail development is proposed to be constructed, while 200,000 square feet of existing retail facilities are anticipated to be demolished. The net result of this is $598,469 + 175,000 - 200,000$, which equals 573,469 square feet of retail development in Phase 1, as noted in Table 21-B-1. For Phase 2, an additional 387,500 square feet is anticipated to be constructed, while 120,000 square feet of the existing retail facilities is expected to be demolished. The net result is $573,469 + 387,500 - 120,000$, which equals 840,969 square feet of retail development in Phase 2, as noted in Table 21-B-2. Finally, for Phase 3, 87,500 square feet of new retail development is proposed to be constructed, while 278,469 square feet of existing retail facilities are anticipated*

to be demolished. The net result of this is $840,969 + 87,500 - 278,469$, which equals 650,000 square feet of retail development in Phase 3, as noted in Table 21-B-3.

Comment 8: Pages 17 to 19, Tables 21-C-1 to 21-C-3, Phases 1 to 3 Trip Generation Analysis: Please revise to address the comment above.

Response: Based on the above response, no revisions are necessary to Tables 21-C-1 through Table 21-C-3.

Comment 9: Pages 39 and 40, Table 21-C-5, Equivalency Matrix is unacceptable. The purpose of an equivalency matrix is to allow the developer to “exchange trips” among approved land uses to accommodate changing market demands without filing a Notice of Proposed Change (NOPC), based on a set of minimum/maximum development intensity thresholds to ensure that the basic character of the development is not altered. The equivalence matrix prepared for the Lauderhill City Center DRI shows exchange thresholds of up to 70%. The Department requests that the minimum/maximum development intensity threshold be limited to a maximum of 10% change in the project trip directionality.

Response: As previously mentioned, the equivalency matrix was performed to provide flexibility in a development plan while maintaining the same number of generated trips. The net new trips for the different development scenarios, summarized in Table 21-C-5 of the DRI, accounted for internalization and pass-by specific to the alternative development programs. The information has been submitted for your review. While it is possible that the project distribution may differ slightly, depending on the development program, the distributions for Scenario I through Scenario V are not anticipated to be significantly different from the original project distribution. Since Scenario VI through Scenario IX include greater increases/decreases from the original land uses, it is expected that the distribution may vary from the original development distribution. Nevertheless, should the development plan be altered from the original development plan, it is anticipated that a distribution model will be run to determine whether or not any additional analyses need to be performed for the surrounding roadway network. Further, this revised distribution will be provided to all reviewing agencies for review and comment. In comparing the net new trips resulting from the alternative development scenarios to the original development scenario, it appears that the project trip directionalities do not increase by more than 10%, as stated by the reviewer, with the exception of the AM peak hour of Scenario VI.

Trip Distribution

Comment 10: Page 51, Map J-3B, Project Distribution: Please explain the 3% trip distribution to/from NW 14th Street and 0% on NW 12th Street or NW 16th Street.

Response: The 3% is not necessarily to/from NW 14th Street. The 3% is assigned roadways and developments located between NW 12th Street and NW 16th Street, which are east of SR-7. These also include NW 13th Street and NW 15th Street. The reviewer states that there is 0% along portions of NW 12th Street and NW 16th Street. It is unclear what the reviewer is referring to. From the distribution map, 11 percent of project trips exit the site at NW 16th Street, of which six (6) percent travel east to SR-7 and five (5) percent travel west to NW 49th

Avenue. In addition, 16 percent of project trips exit the site at NW 12th Street, of which eight (8) percent travel east to SR-7 and eight (8) percent travel west to NW 47th Avenue, where they travel either north or south to connect to the surrounding roadway network. It is worth stating that the distribution, utilized for analysis purposes, was submitted to the reviewing agencies for review. Further, a meeting was held, with reviewing agencies' staff, including FDOT, Broward County and Florida Turnpike Enterprise, to discuss the distribution. The distribution included in the DRI report was agreed to by all reviewing agencies.

Comment 11: Appendices F-3 to F-6: *Capacity Analysis Worksheets:* Synchro generally assumes high right-turn-on-red (RTOR) percentages. Unless there is a field-collected RTOR data, please revise all RTOR assumptions. RTOR is not allowed from a TH-RT shared lane (e.g. northbound and southbound of S.R.7 at NW 16th Street and W 19th Street), and is not to exceed the overlapping left turn vehicles. For example, the number of northbound right-turning vehicles (from an exclusive right-turn lane) should not be more than the number of westbound left-turning vehicles per lane.

Response: *Synchro RTOR calculations are based on an internally developed model that is based on the Highway Capacity Manual (HCM) gap-acceptance formula for right turns, whether from an exclusive right-turn lane or from a shared through and right-turn lane, and are based on saturation flow rates for right turns. Other accepted HCM methodologies would allow the straight reduction of right-turn volumes to account for RTOR movements. However, while this accepted HCM methodology could have been applied, we believed that the methodology employed by the Synchro software provided a more accurate representation of the intersection performances. In addition, review of the analyses worksheets included in Appendices F-3 to F-6 revealed that the RTOR volumes, assumed for shared through and right-turn lanes, are minimal. The removal of these right turns is not expected to affect the analyses.*

It is unclear why the reviewer states that the RTOR volumes should not exceed the overlapping left-turn vehicles. The two volumes are seemingly unrelated. RTOR volumes are, as the term would imply, allowed to perform the right-turn movement when gaps permit. This volume could, indeed, be greater than the overlapping left-turn volume. Nevertheless, in reviewing the intersection analysis worksheets included in Appendices f-3 to F-6, in most cases, the RTOR volumes are lower than the overlapping left-turn volumes. For future conditions analyses, the only intersection where the RTOR volume is greater than the overlapping left-turn volume is at the intersection of SR-7 and NW 16th Street, during the AM peak period only. At this intersection, the eastbound RTOR volume is slightly greater than the overlapping northbound left-turn volume. However, it is worth noting that, for background conditions, the eastbound RTOR volume at this intersection is greater for Phase 1, Phase 2 and Phase 3, whereas, for total traffic conditions, the eastbound RTOR volume is only greater than the overlapping left-turn volume in Phase 1. Therefore, revising the analyses would only worsen background traffic conditions, for Phase 2 and Phase 3, and would not affect total traffic conditions, which include project traffic. Although background traffic conditions would potentially worsen, intersection delays are not anticipated to significantly change, if at all, from the original analysis. Therefore, mitigation improvements required by the Applicant are not expected to be reduced from those proposed in the DRI report.

Future Conditions Analysis

Comment 12: Pages 63 and 64, Table 21-E-3, *Phase 3 Peak-Hour Project Assignment*: A number of roadway segments are identified in this table as significant links. However, mitigations are only proposed for some of the link-ending intersections and not along any segments to address the impact. Summary tables of significant and adverse intersections/roadways with Applicant proposed mitigation measures are located in Attachment A.

Response: *The purpose of Table 21-E-3 was to determine which roadway segments are anticipated to be significant during Phase 3 of the project. Once the significant roadway segments were identified, link analyses were performed to determine whether or not the significant roadway segments were expected to exceed 90 percent of the adopted level of service during Phase 3. The AM and PM peak-hour link analyses are summarized in Table 21-D-3A and Table 21-D-3B of the DRI report, respectively. For those roadway segments determined to be significant and overcapacity, analyses were performed at the link-ending intersections to determine, more accurately, the extent of failure. As a general rule, it is understood that LOS service volumes, by which we determine if a roadway segment is overcapacity or not, are only a planning tool. The more accurate representation of expected traffic operations is in the intersection capacity analysis. For this reason, it is believed that, if recommended improvements at the intersections are sufficient to mitigate the project-traffic impacts, roadway-segment improvements do not need to be recommended. Nevertheless, if a recommended improvement at an intersection included the addition of a through lane, then, it is agreed that the entire roadway segment improvement would be included. No such improvement is, however, required to mitigate anticipated impacts from the proposed Lauderhill City Center DRI.*

Mitigations

Comment 13: Please summarize the capacity analysis results for the Total Traffic with Recommended Roadways Improvements. It is important to note that the roadway improvements should be included so that all intersections operate at the adopted LOS.

Response: *Table 21-F-6, Table 21-F-7 and Table 21-F-8, included in the DRI report, summarize the results for the Total Traffic with Recommended Roadways Improvements, for Phase 1, Phase 2 and Phase 3, respectively. As previously mentioned, it is our understanding and belief that the developer/Applicant is responsible for roadway improvements required as a result of the addition of project trips to the surrounding roadway network. The Applicant is not, however, responsible for mitigation improvements required as a result of background traffic, which is traffic expected to occur due to background growth in the area and is assumed to be existing in a future year before the inclusion of project trips. This traffic does not depend on, and is not influenced by, the construction of the proposed Lauderhill City Center development. Therefore, recommended improvements were proposed to achieve intersection delays, which are the same as, or better than, those anticipated to be experienced by background traffic conditions.*

Multi-Modal

Comment 14: Page 98: The Department requests that information on the parking requirement and the amount of reduction be included in the ADA as additional support for the multimodal reductions in the trip generation analysis.

Response: While the exact parking requirement and amount of parking reduction is unknown at the present time, ongoing coordination is occurring, and is expected to continue to occur, between the Applicant and respective reviewing agencies on this issue, as well as on other multi-modal related matters.

Comment 15: The Department requests that the applicant work closely with Broward County Transit in estimating the projected transit ridership and how to adequately accommodate such demand.

Response: As mentioned in the comment by Broward County Office of Transportation, Service Development Section, the Applicant is already working closely with Broward County on many transit-related issues. This coordination is expected to continue through the development process of the proposed Lauderhill City Center development.

Comment 16: In order to promote a successful Transit Oriented Development (TOD), the ADA should be revised in a manner that results in commitments and assurances that the multimodal transportation facilities and services necessary to serve the development can be implemented in the appropriate time frames that the public can rely upon. It is recommended that a Transportation Demand Management (TDM) or Commute Trip Reduction Plan be included as part of the ADA. The contents of such a plan should be coordinated with FDOT, Broward County, and the City of Lauderhill.

Response: As previously mentioned, ongoing coordination on all multi-modal related issues, including transit, pedestrian facilities, bicycle facilities, possible TDM strategies and other issues, are currently ongoing between the Applicant and respective reviewing agencies. Potential commitments and assurances are currently being discussed between the Applicant and reviewing agencies' staff. Possible TDM strategies are outlined in Section I of the DRI report. As noted in Section I, the selected TDM strategies would depend on the constructed uses on the site. Therefore, the determination of specific TDM strategies would best be determined once a portion of the development is actually constructed and operational.

BROWARD COUNTY

Planning Services Division (PSD)

Comment 1: This project is 46 acres, proposes to develop 1,157,210 sq.ft. including retail/commercial, office, and 2500 du. We support this proposal as it is designed to encourage pedestrian, open space and green development standards.

Response: Your support is greatly appreciated. Thank You.

Broward Metropolitan Planning Organization (MPO)

Table 21-A-1

Comment 1.1: Arterial capacities used in the table should vary according to the number of signals per mile not just arterial class.

Response: Two-way roadway capacities were obtained from the Broward County Roadway level of service tables, which are based on the 2002 FDOT Level of Service handbook. The corresponding peak-hour, directional capacities were then utilized for the DRI analyses tables. For state roadways, all capacities were based on Class II, which corresponds to 2.00 to 4.50 signalized intersections per mile. This is representative of study-area state roadways. Capacities for other local roadways were based on FDOT capacities located under "Non-State Roadways", which are not based on signalized intersections per mile.

Comment 1.2: NW 12th Street should be treated as a two-lane road not four.

Response: The reviewer is incorrect. While no pavement markings exist along NW 12th Street, along the border of the Lauderhill City Center site, indicating that it is a four-lane roadway, field reviews revealed that NW 12th Street is wide enough to accommodate two vehicles in each direction and is currently utilized as a four-lane roadway until the western limit of the proposed Lauderhill City Center site. It then narrows to a two-lane roadway. Therefore, the analyses were performed assuming NW 12th Street to be a four-lane roadway.

Comment 1.3: The capacity for both NW 12th St and NW 16th St should be based on "Other Signalized Roadway" classification not "Major City/County Roadways"

Response: The reviewer is correct. All link tables have been revised utilizing "Other Signalized Roadways". These include the following tables:

- Table 21-A-1
- Table 21-A-2
- Table 21-D-1A
- Table 21-D-1B
- Table 21-D-2A
- Table 21-D-2B
- Table 21-D-3A
- Table 21-D-3B
- Table 21-E-1
- Table 21-E-2
- Table 21-E-3

It is worth noting that NW 12th Street and NW 16th Street continue to operate at an acceptable level of service, even with the revised capacities.

Comment 1.4: The table should include all roads classified as collectors and above within the study area or documented justifications for omitting some roads.

Response: The assignment tables included most roadway segments within the study area that are included in the Broward County Roadway Level of Service tables, which include arterial, collector and local roadways, regardless of their roadway classifications. The only exception was several local roadways, which were not included in the Broward County Model and, therefore, had no assignment of traffic. Link analyses were then performed for significant roadway segments, regardless of their classification.

Comment 1.5: The peak-hour traffic used in the table should be check against available ADT information for consistency and reasonableness.

Response: Where available, peak-hour traffic was checked against other available data. It is possible though that data may vary from one day to another due to certain events in the area.

Comment 1.6: The explanation for the reference numbers in the table header is missing.

Response: The explanations of the reference numbers in the table header have been included at the bottom of table.

Table A-2B

Comment 2.1: There are inconsistencies between the turning movement data used in the intersection analysis and the Broward County turning movement count data. For example, according to the 2007 traffic survey the north leg of the SR 7 and Oakland Park Blvd intersection carries 1,724 vph during PM peak; however, the Broward County count data shows 2,455 vph during PM peak. The inconsistency is seen in the following intersections:

- SR 7 and NW 19th Street
- Sunrise Blvd and NW 31 Ave
- SR 7 and Broward Blvd

Response: The traffic data-collection effort was performed by skilled personnel. A technical supervisor was also in the field during this effort. While no special events were noted in the area when the data collection was being performed, it is entirely possible that traffic conditions may have been influenced by some nearby event. This may also be true for the counts collected by Broward County.

A comparison of volumes collected by McMahan, with those collected by Broward County, reveals that, for the most part, the volumes are quite similar. There are instances where volumes collected by Broward County are greater than those collected by McMahan. There are also instances where counts collected by McMahan are

higher than those collected by Broward County. Again, it is worth mentioning that, while unaware by Broward County or McMahon data-collection technicians, special circumstances may have influenced either count.

Table 21-A-2

Comment 3.1: Table should be check for accuracy and consistency, 2007 ADT for Broward Blvd, FL Turnpike to NW 47th Avenue, is missing, and the capacity is incorrect.

Response: The information that was missing, and incorrect, was for Sunrise Boulevard between Florida Turnpike and NW 47th Avenue. The table has been corrected.

Comment 3.2: Some of the 2007 ADT is underestimated. Example: Peters Rd, University Dr to SR-7, 2006 ADT in Broward County database is 28,500 while the 2007 AADT in table shows 20,700.

Response: The 2006 ADT is for Station 7057 and is located just east of University Drive along Peters Road. ADT for that station has varied between 20,447 and 25,568 since 1990 to 2005, fluctuating up and down throughout the years. This indicates minimal growth in the area. Based on the historical data, the most recent 2006 ADT of 28,500 seems high. Further, other stations along Peters Road, between University Drive and SR-7, including Station 9603 and Station 7580, show 2006 ADT volumes of approximately 17,000.

Comment 3.3: The explanation for the reference numbers in the table header is missing.

Response: The explanations of the reference numbers in the table header have been included at the bottom of table.

Comment 3.4: At the left column, add a divider between Davie Blvd, Broward Blvd and Sunrise Boulevard.

Response: As requested, a divider has been added.

Comment 3.5: the 2033 under reporting roadway links should be corrected before using it to estimate the annual growth rate between 2005 and 2033 in Appendix A-3. Checkout growth rates used in tables 21-D-1 thru 3.

Response: Volumes utilized in estimating existing (2007) AADT and future volumes were based on approved FDOT historical volumes, Broward County historical volumes and model projections. They were not based on data collected by McMahon.

Volumes utilized to estimate the annual growth rates between 2005 and 2033 to determine 2007 AADT, included in Appendix A-3, were based on 10-year, historical counts obtained from FDOT and Broward County. At the time of analysis, 2005 information was the latest available information and, therefore, historical information was obtained from 1995 to 2005, where available.

In addition, growth rates utilized for future analyses were based on information provided in Table D-1, located in Appendix D-1. The area-wide growth rate was based on comparing 2000 versus 2030 model volumes and were based on trend analyses, which included 10-year, historical data and 2030 model projections. Incidentally, a review of the future-conditions, link-analyses tables indicates an error in the growth rate utilized in several tables. The future, area-wide growth rate was determined to be 0.85 percent, based on previous comments from FDOT. The growth rate utilized for Year 2023 AM peak-hour link analysis and for Year 2033 AM peak-hour link analysis was accidentally coded as 0.88 percent. The incorrect tables have been revised to show 0.85 percent, consistent with all other link analyses, and consistent with all turning-movement-count analyses.

Tables 21-B-1 thru 3

Comment 4.1: If each phase is cumulative of previous phases, why is the retail square footage lower in phase three than phase two?

***Response:** The retail square footage in Phase three is lower than the retail square footage in Phase two because a greater portion of the existing retail development is expected to be demolished in Phase three. The intensities shown in the tables are cumulative and are correct. The existing retail development consists of 598,469 square feet. For Phase 1, 175,000 square feet of new retail development is proposed to be constructed, while 200,000 square feet of existing retail facilities are anticipated to be demolished. The net result of this is $598,469 + 175,000 - 200,000$, which equals 573,469 square feet of retail development in Phase 1, as noted in Table 21-B-1. For Phase 2, an additional 387,500 square feet is anticipated to be constructed, while 120,000 square feet of the existing retail facilities is expected to be demolished. The net result is $573,469 + 387,500 - 120,000$, which equals 840,969 square feet of retail development in Phase 2, as noted in Table 21-B-2. Finally, for Phase 3, 87,500 square feet of new retail development is proposed to be constructed, while 278,469 square feet of existing retail facilities are anticipated to be demolished. The net result of this is $840,969 + 87,500 - 278,469$, which equals 650,000 square feet of retail development in Phase 3, as noted in Table 21-B-3.*

Tables 21-C-1 thru 3

Comment 5.1: We recommend verifying trip reductions included in the ADA for phase one prior to moving to phases two and three.

***Response:** Phase one, of the proposed development, includes a relatively small portion of the development expected in Phase two or Phase three. The Office development in Phase one is 40 percent of the Office development expected in Phases two and three. Further, the Retail space in Phase One is 65 percent and 88 percent of the Retail space planned for Phase two and Phase three, respectively. Finally, the Residential use in Phase one is 50 percent and 30 percent of the Residential use planned for Phase two and Phase three, respectively. Trip reductions realized during phase one of development, which could be lower or higher than those projected in the ADA analyses, will not necessarily be related to the trip reductions that will occur in the subsequent phases. Therefore, we respectfully disagree with the reviewer's comment.*

Comment 5.2: The high transit market share should be restricted to commute trips (home-based work). These high transit ridership should be verified after phase one is completed before moving to phase two and three.

Response: As mentioned in the response to the above Comment 5.1, trip reductions realized during phase one of development will not necessarily be related to the trip reductions that will occur in the subsequent phases. In addition, we do not believe that the high transit market share should be restricted to commute trips. It is very likely that residents from the site, wishing to travel to offsite retail establishments, such as shopping centers and malls, will utilize the proposed transit facilities throughout the day. It is also important to note that the assumed multimodal reductions of 19 percent, during AM peak-hour conditions, and 14 percent, during PM peak-hour conditions, are only slightly higher than those currently observed at the site. The existing multimodal reduction is approximately 18 percent, during the AM peak-hour, and 13 percent, during the PM peak hour. The future multimodal reductions are, in fact, expected to be much higher than those proposed in the ADA analyses.

Development Management Division

No Comments

Response: No response is required.

Office of Transportation, Service Development Section

Comment 1: Is supportive of this TOD project and looks forward to working with the stakeholders during the DRI and DO process. Staff is very pleased with the initial efforts during the pre-application phase with the desire to include transit as a major component of this project.

Staff is looking forward in continuing to working with the applicant on the refined designs. Staff is looking forward to more detailed and updated site plan(s), which include major transit infrastructure, which make the project a true TOD. Due to the Central Broward location, this site and DRI is critical to the transit needs of Broward County.

Response: The Applicant is also looking forward to continuing to work with the County, and other responsible agencies, on the refined designs.

CITY OF LAUDERHILL PLANNING AND ZONING DEPARTMENT

Comment 1: McMahon has provided an answer letter, however, this company is also our traffic consultant too. An area of concern for me is that I could not clearly link the existing mass transit stop (BCC transfer station) with the future site plan development. In addition, how will parking be provided for the office building (Ideal building) on the NW corner of the property?

Response: The existing BCC transfer station is currently located along the southern portion of the Lauderhill Mall site. For the proposed Lauderhill City Center DRI, a more centrally-located bus terminal is anticipated. However, the exact location has not yet been determined. Coordination is currently underway between the Applicant and respective government agencies to determine the most appropriate location for the proposed transfer station.

We believe the responses contained herein should adequately satisfy the comments provided by your Department. Should you have any questions, please do not hesitate to contact me at (954) 771-0776.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tom Hall", written in a cursive style.

Thomas A Hall
Associate & General Manager – Fort Lauderdale

TAH/nlm

Exhibit C



Public Works and Transportation Department - Waste and Recycling Services

SOLID WASTE OPERATIONS DIVISION

1 N. University Drive, Suite 400 • Plantation, Florida 33324 • 954-765-4202 • FAX 954-577-2392

May 20, 2008

Sent via fax (561) 368-4008 & USPS

Mr. J. Michael Marshall, Esq.
Siemon & Larsen, P.A.
433 Plaza Real, Suite # 339
Boca Raton, Florida 33432

RE: Land Use Plan Amendment Application (Lauderhill City Centre)

Dear Ms Teetsel:

In response to your letter of May 7, 2008 I have reviewed the information provided for this project. It has been determined that Broward County does currently and will continue to have sufficient capacity to receive and process all solid waste generated by this project as outlined in your request.

Attached, is a fact sheet which outlines the current Broward County solid waste processing capacity. Should you have any questions, please don't hesitate to contact me at 954-474-1839.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Serra", with a long horizontal flourish extending to the right.

Michael Serra, SPC III
Project Management & Engineering Section

Broward County Board of County Commissioners

Josephus Eggelation, Jr. • Sue Gunzburger • Kristin D. Jacobs • Ken Keechl • Ilene Lieberman • Stacy Ritter • John E. Rodstrom, Jr. • Diana Wasserman-Rubin • Lois Wexler
www.broward.org



Public Works and Transportation Department - Waste and Recycling Services

SOLID WASTE OPERATIONS DIVISION

1 N. University Drive, Suite 400 • Plantation, Florida 33324 • 954-765-4202 • FAX 954-577-2392

SUBJECT:

Disposal capacity at Broward County solid waste facilities

SERVICE AREA:

Broward County excluding the cities of Dania Beach, Hallandale Beach, Pembroke Pines, Pompano Beach, and Parkland

CURRENT CAPACITY:

- 1.6 million tons/year (two waste-to-energy facilities @ 2,250 tons/day per facility)
- 4,500,000 cubic yards at the Broward Interim Contingency (BIC) Landfill
- Central Disposal Sanitary Landfill (CDSL) provides backup capacity, as needed, in accordance with contractual agreement

CONTRACTUAL REQUIREMENTS:

1,095,000 tons per year at Wheelabrator facilities; none at the BIC Landfill; none at the CDSL

CURRENT DEMAND:

1,095,000 tons per year at Wheelabrator facilities; 40,000-50,000 tons per year at the BIC Landfill

FUTURE CAPACITY:

Each waste-to-energy facility is expandable by 33%. A third waste-to-energy facility location is reserved at the BIC Landfill. There are no plans for expansion at this time.

LOCATION OF FACILITIES:

PROCESSABLE WASTE (Burnable)

Wheelabrator South Broward, Inc.
4400 S. State Road 7
Fort Lauderdale, FL 33314
(Unincorporated Broward County)
(Between I-595 and Griffin Road)

Wheelabrator North Broward, Inc.
2600 NW 48th Street
Pompano Beach, FL 33073
(Unincorporated Broward County)
(Next to Central Disposal Sanitary Landfill)

NON-PROCESSABLE WASTE (Non-burnable)

Broward County Interim Contingency (BIC) Landfill
7101 SW 205th Avenue
Fort Lauderdale, FL 33332
(Unincorporated Broward County)
(East of U.S. 27 on Sheridan Street)

RATES:

\$93.65/ton - Processable \$50.00/ton - Non-processable

OTHER MAJOR IN-COUNTY FACILITIES:

Central Disposal Sanitary Landfill
2700 NW 48th Street
Pompano Beach, FL 33073
(Unincorporated Broward County)
(Private landfill owned/operated by Waste Management)

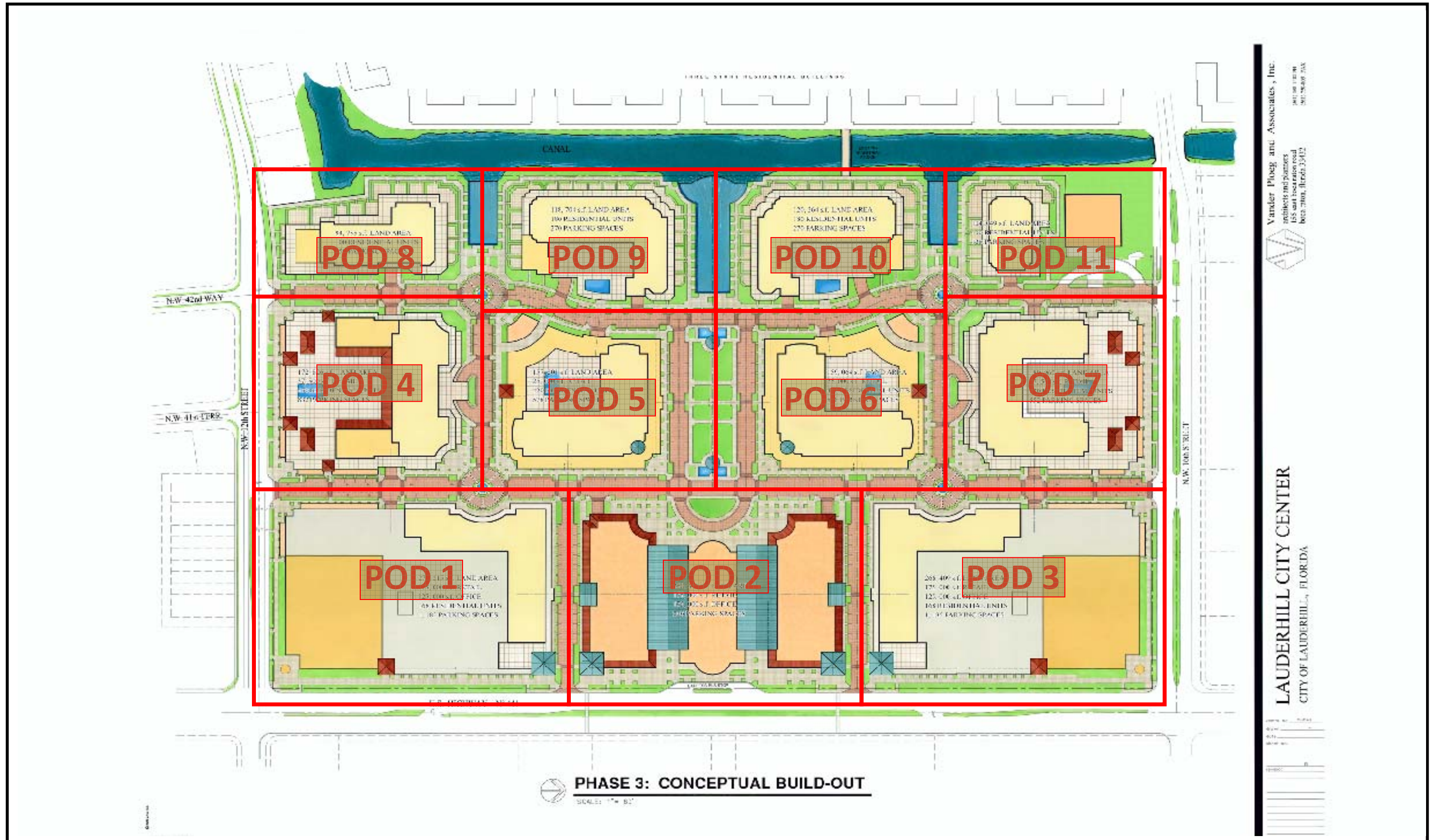
Reuter Recycling
20701 Pembroke Road
Pembroke Pines, FL 33029
(Handles waste for non-contract communities)
(Private facility owned/operated by Waste Management)

Note: There are also several other privately owned/operated C&D recycling and disposal facilities throughout Broward County.

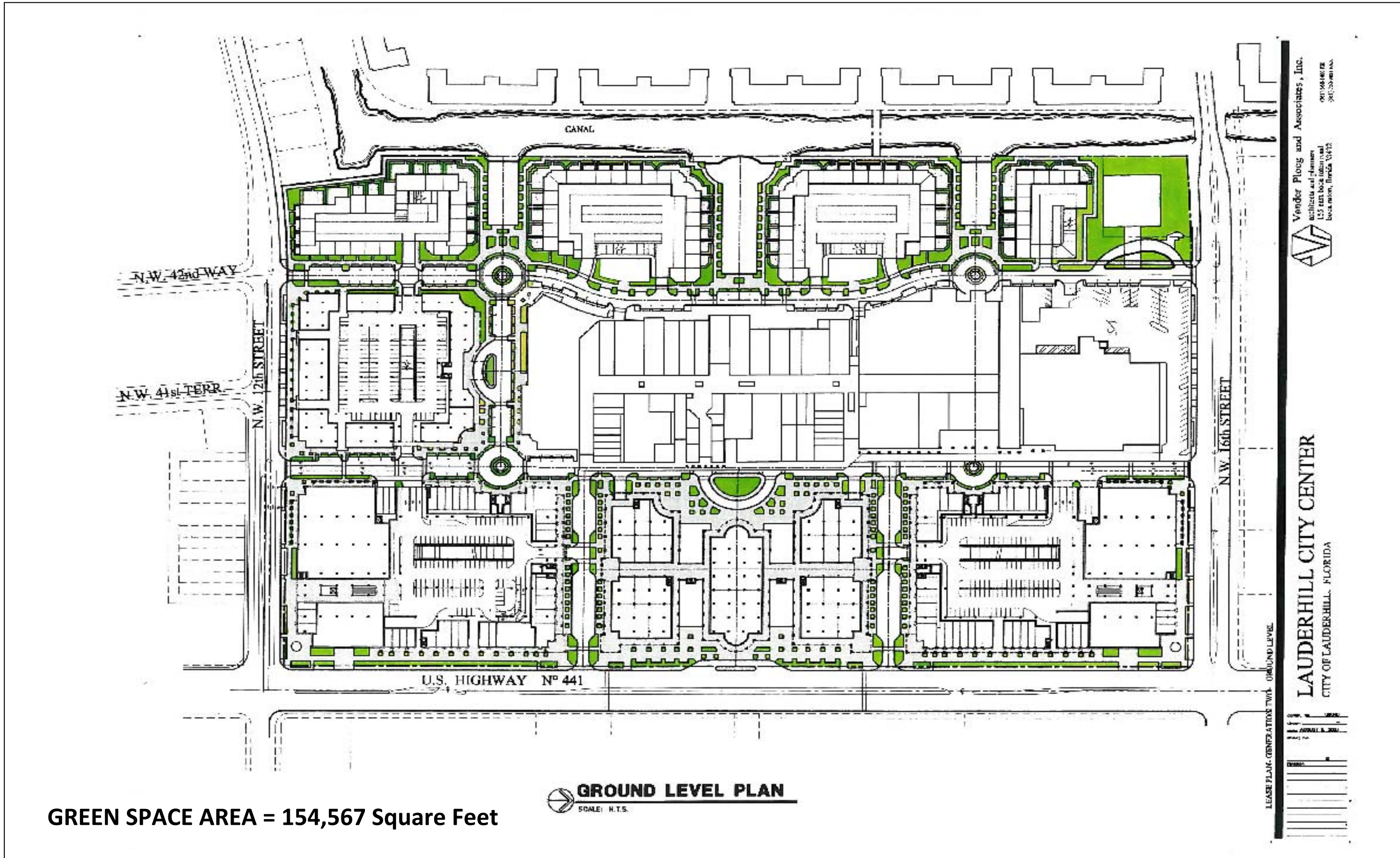
Revised October 2007

Broward County Board of County Commissioners

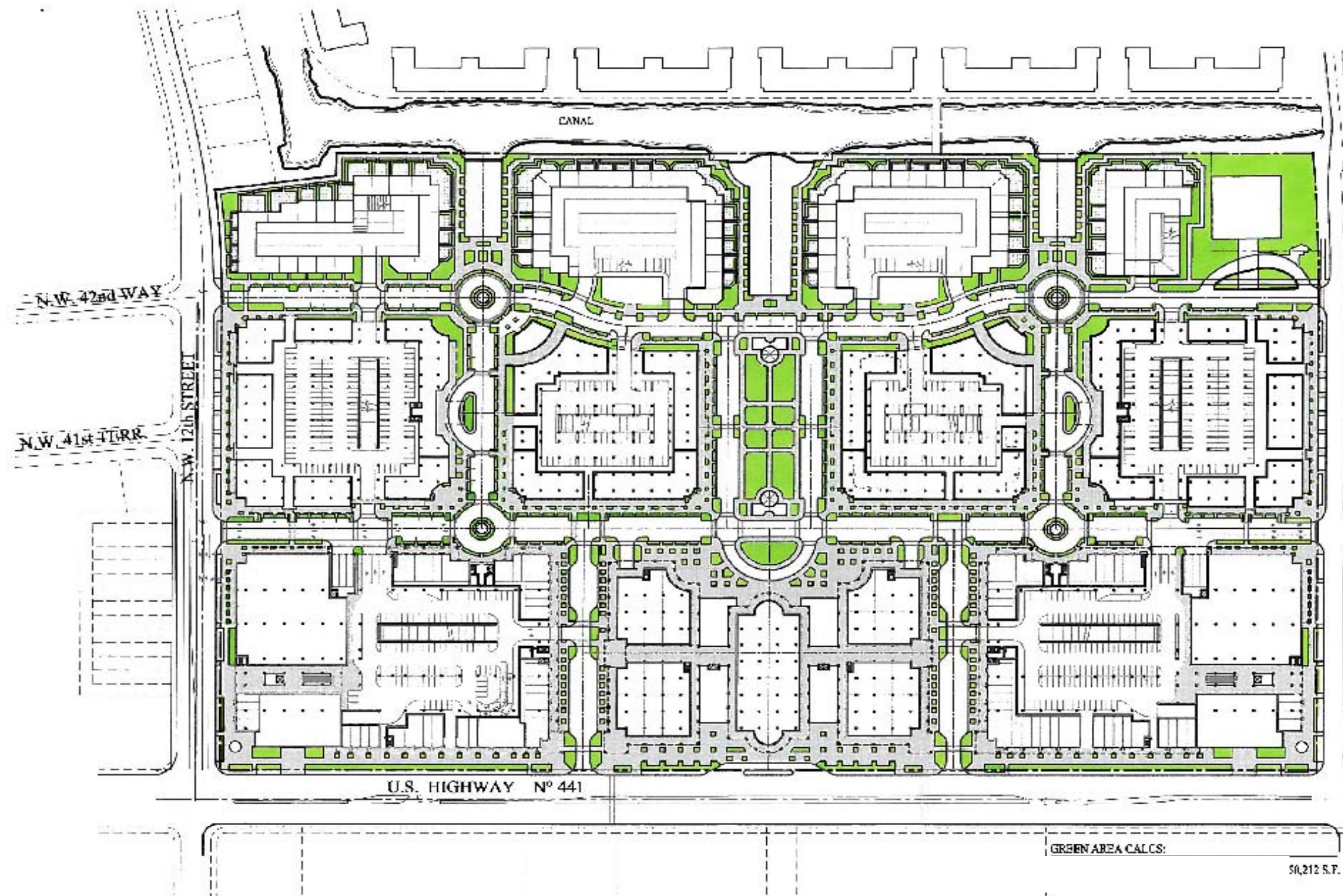
Composite Exhibit D



GREEN SPACE AT END OF PHASE 2



GREEN SPACE AT PROJECT BUILDOUT



Vander Ploeg and Associates, Inc.
architects and planners
155 S.W. 1st Avenue, Suite 200
Fort Lauderdale, FL 33301
Tel: 754.333.3333



LAUDERHILL CITY CENTER
CITY OF LAUDERHILL, FLORIDA

LEASER PLAN - CONSTRUCTION TWO - GROUND LEVEL



GREEN SPACE AREA = 250,212 Square Feet

GROUND LEVEL PLAN
SCALE: N.T.S.

Exhibit E

BROWARD COUNTY
STUDENT GENERATION RATES

Dwelling Type	Bedrooms	Elementary	Middle	High	Total
Single Family Homes	3 or less	0.131	0.051	0.047	0.229
	4 or more	0.249	0.112	0.078	0.439
	Average	0.192	0.083	0.062	0.337
Townhouse, Duplex, Villa	1 or less	0.032	*	*	0.032
	2	0.069	0.018	0.030	0.117
	3 or more	0.139	0.062	0.074	0.275
	Average	0.093	0.033	0.045	0.171
Garden Apartment	1 or less	0.018	0.012	0.005	0.035
	2	0.094	0.054	0.046	0.194
	3 or more	0.282	0.171	0.141	0.594
	Average	0.091	0.054	0.044	0.189
High-Rise Apartment	Studio	*	*	*	*
	1	0.006	*	*	0.006
	2 or more	0.042	0.008	0.011	0.061
	Average	0.033	0.006	0.008	0.047
Mobile Home	1 or less	*	*	*	*
	2	0.084	0.083	*	0.167
	3 or more	0.182	0.182	*	0.364
	Average	0.084	0.083	*	0.167

*No students were observed in the sample

Ordinance #97-40 became effective September 23, 1997

Composite Exhibit F

SIEMON & LARSEN, P.A.

Mizner Park
433 Plaza Real, Suite 339, Boca Raton, Florida 33432
Telephone (561) 368-3808 - Facsimile (561) 368-4008
E-Mail - info@siemonlarsen.com

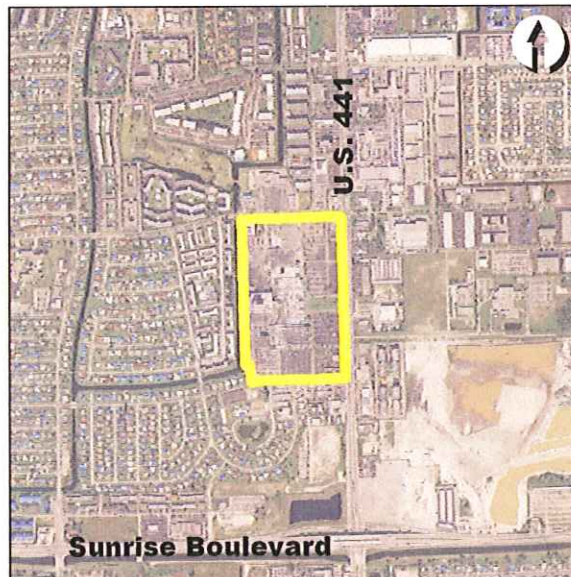
December 17, 2008

Scott Cihak
Chief Operating Officer
Westside Regional Medical Center
8201 West Broward Boulevard
Plantation, FL 33324-9937

RE: Lauderhill City Center DRI

Dear Mr. Cihak:

This letter is a follow-up to two (2) letters that this office previously sent to you, dated May 6, 2008 and July 31, 2007. We represent the owner of the Lauderhill Mall property, located on U.S. 441, just north of Sunrise Boulevard between NW 12th Street and NW 16th Street in Lauderhill (see location map below).



The owner is proposing to redevelop the site into a mixed-use development called Lauderhill City Center. Lauderhill City Center will sit on approximately 46 acres and will be built in three phases, spread over 25 years. The existing mall, which is approximately 600,000 square feet, will be demolished in a piecemeal fashion as the land around the mall is developed with new buildings. In the project's buildout, the entire mall will be demolished and replaced with new development. The project also encompasses the Ideal Building, an 82,210 square foot

Scott Cihak
Page 2 of 2
December 17, 2008

office building situated in the far northwest portion of the subject site. The Lauderhill City Center project will not alter the Ideal Building (the existing square footage is added into the proposed project's total square footage at project completion). The Lauderhill City Center will consist of the following uses (all numbers are cumulative):

Phase 1 (completion by 2018)

Retail 175,000 sq.ft. (plus approximately 400,000 sq.ft. of the existing retail will remain)
Office 125,000 sq.ft. (plus the existing 82,210 sq.ft. Ideal Building)
Residential 665 units

Phase 2 (completion by 2023)

Retail 562,500 sq.ft. (plus approximately 275,000 sq.ft. of the existing retail will remain)
Office 425,000 sq.ft. (plus the existing 82,210 sq.ft. Ideal Building)
Residential 1,330 units

Phase 3 (buildout) (completion by 2033)

Retail 650,000 sq.ft.
Office 507,210 sq.ft. (includes the existing 82,210 sq.ft. Ideal Building)
Residential 2,500 units

Due to the size and scale of the proposed redevelopment, the project will be reviewed as a Development of Regional Impact (DRI). As part of the DRI application process, we must contact all health care facilities that will serve the proposed project and obtain a letter from the health care providers stating that they are in acknowledgement of the proposed project and will have the ability to serve the proposed project. For the purposes of the DRI review, all health care facilities within five (5) miles of the proposed project are considered to "serve" the project. The Westside Regional Medical Center falls within this area. Accordingly, please provide a letter, on company letterhead, acknowledging the proposed Lauderhill City Center project and stating your facility's ability to serve the proposed project.

Thank you in advance for your attention and please do not hesitate to contact me with any questions or comments.

Sincerely,



Clark Stephens
Urban Planner
clark@siemonlarsen.com

cc: MJ Matthews, South Florida Regional Planning Council

SIEMON & LARSEN, P.A.

Mizner Park
433 Plaza Real, Suite 339, Boca Raton, Florida 33432
Telephone (561) 368-3808 - Facsimile (561) 368-4008
E-Mail - info@siemonlarsen.com

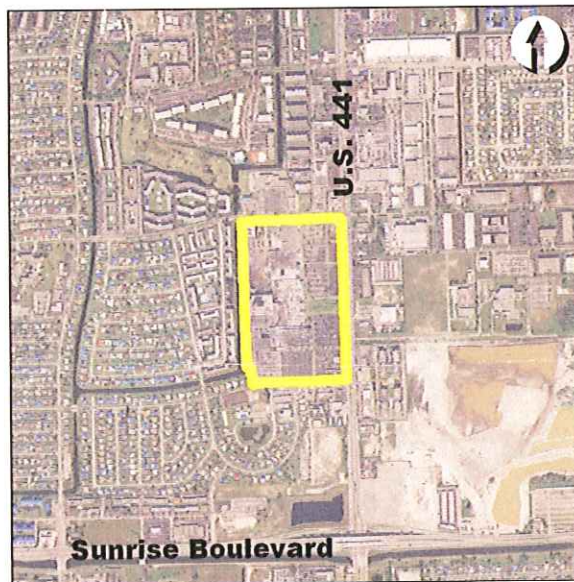
December 17, 2008

Alice Taylor
Chief Operating Officer
Broward General Medical Center
1600 South Andrews Avenue
Fort Lauderdale, FL 33316-2510

RE: Lauderhill City Center DRI

Dear Ms. Taylor:

This letter is a follow-up to two (2) letters that this office previously sent to you, dated May 6, 2008 and July 31, 2007. We represent the owner of the Lauderhill Mall property, located on U.S. 441, just north of Sunrise Boulevard between NW 12th Street and NW 16th Street in Lauderhill (see location map below).



The owner is proposing to redevelop the site into a mixed-use development called Lauderhill City Center. Lauderhill City Center will sit on approximately 46 acres and will be built in three phases, spread over 25 years. The existing mall, which is approximately 600,000 square feet, will be demolished in a piecemeal fashion as the land around the mall is developed with new buildings. In the project's buildout, the entire mall will be demolished and replaced with new development. The project also encompasses the Ideal Building, an 82,210 square foot

Alice Taylor
Page 2 of 2
December 17, 2008

office building situated in the far northwest portion of the subject site. The Lauderhill City Center project will not alter the Ideal Building (the existing square footage is added into the proposed project's total square footage at project completion). The Lauderhill City Center will consist of the following uses (all numbers are cumulative):

Phase 1 (completion by 2018)

Retail 175,000 sq.ft. (plus approximately 400,000 sq.ft. of the existing retail will remain)
Office 125,000 sq.ft. (plus the existing 82,210 sq.ft. Ideal Building)
Residential 665 units

Phase 2 (completion by 2023)

Retail 562,500 sq.ft. (plus approximately 275,000 sq.ft. of the existing retail will remain)
Office 425,000 sq.ft. (plus the existing 82,210 sq.ft. Ideal Building)
Residential 1,330 units

Phase 3 (buildout) (completion by 2033)

Retail 650,000 sq.ft.
Office 507,210 sq.ft. (includes the existing 82,210 sq.ft. Ideal Building)
Residential 2,500 units

Due to the size and scale of the proposed redevelopment, the project will be reviewed as a Development of Regional Impact (DRI). As part of the DRI application process, we must contact all health care facilities that will serve the proposed project and obtain a letter from the health care providers stating that they are in acknowledgement of the proposed project and will have the ability to serve the proposed project. For the purposes of the DRI review, all health care facilities within five (5) miles of the proposed project are considered to "serve" the project. The Broward General Medical Center falls within this area. Accordingly, please provide a letter, on company letterhead, acknowledging the proposed Lauderhill City Center project and stating your facility's ability to serve the proposed project.

Thank you in advance for your attention and please do not hesitate to contact me with any questions or comments.

Sincerely,



Clark Stephens
Urban Planner
clark@siemonlarsen.com

cc: Jo Sesodia South Florida Regional Planning Council

Exhibit G



Florida Power & Light Company

August 25, 2007

Siemon & Larsen, P.A.
433 Plaza Real, Ste 339
Boca Raton, FL 33432

Re: Lauderhill City Center DRI

Dear Siemon & Larsen:

This is to confirm that, at the present time, FPL has sufficient capacity to provide electric service to the above captioned property. This service will be furnished in accordance with applicable rates, rules and regulations.

Please provide the final site plan, site survey and electrical load data as soon as possible so the necessary engineering can begin.

Early contact with FPL is essential so that resources may be scheduled to facilitate availability of service when required.

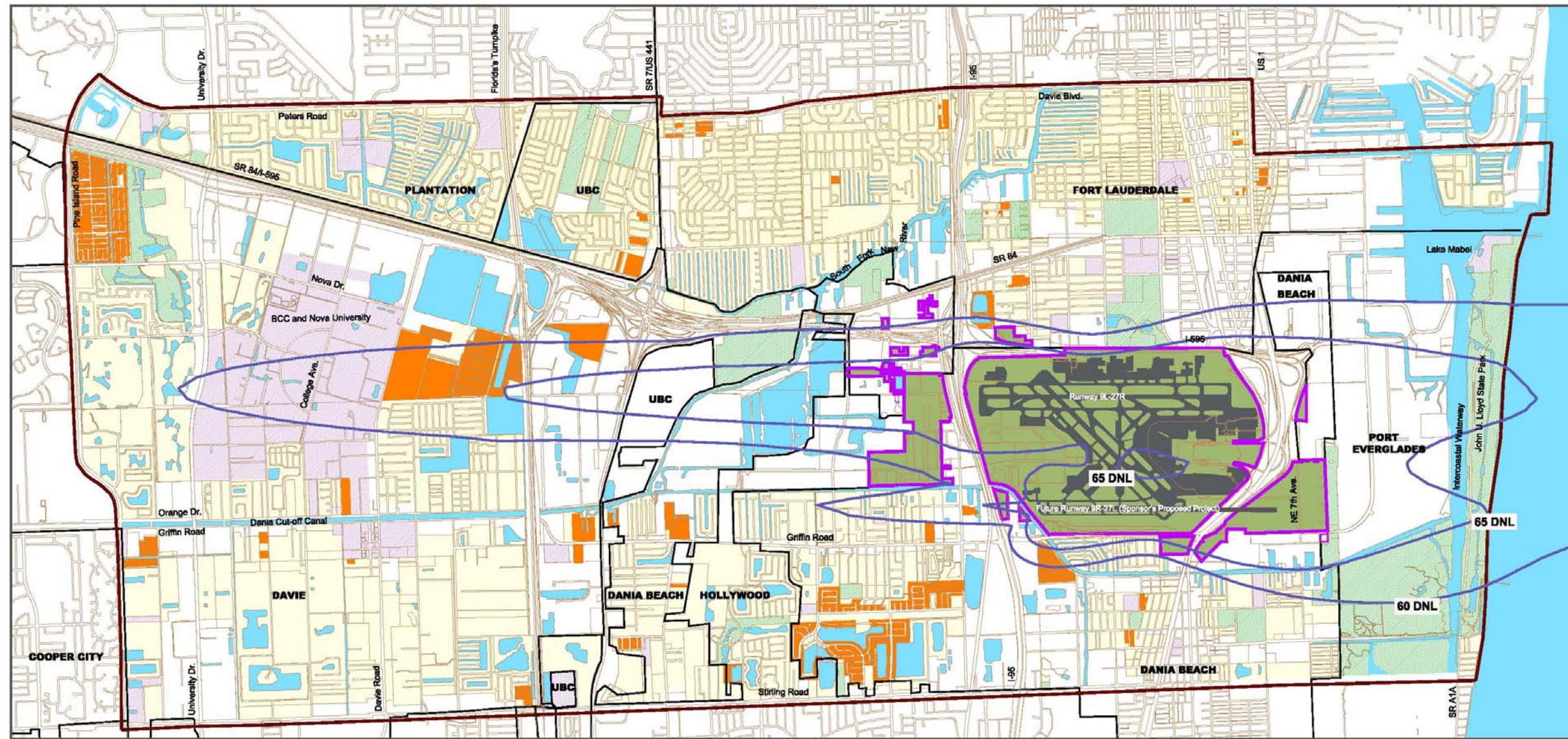
Sincerely,

A handwritten signature in black ink, appearing to read "Karin Santos", is written over a light gray background.

Karin Santos
Customer Project Manager

Composite Exhibit H

2012 NOISE CONTOUR MAP – FORT LAUDERDALE INTERNATIONAL AIRPORT

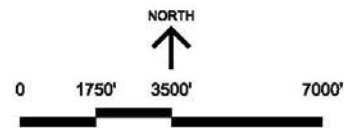


LEGEND

Study Area Boundary	Existing Generalized Noncompatible Land Use
Municipal Boundary	Institutional/Public
Airport Property/Property Line	Open Space/Recreational
DNL - Noise Contour	Residential
Water	Mobile Homes

Notes: Information subject to updates in later phases of the study.
 UBC - Unincorporated Broward County.
 DNL - Day-Night Average Sound Level.

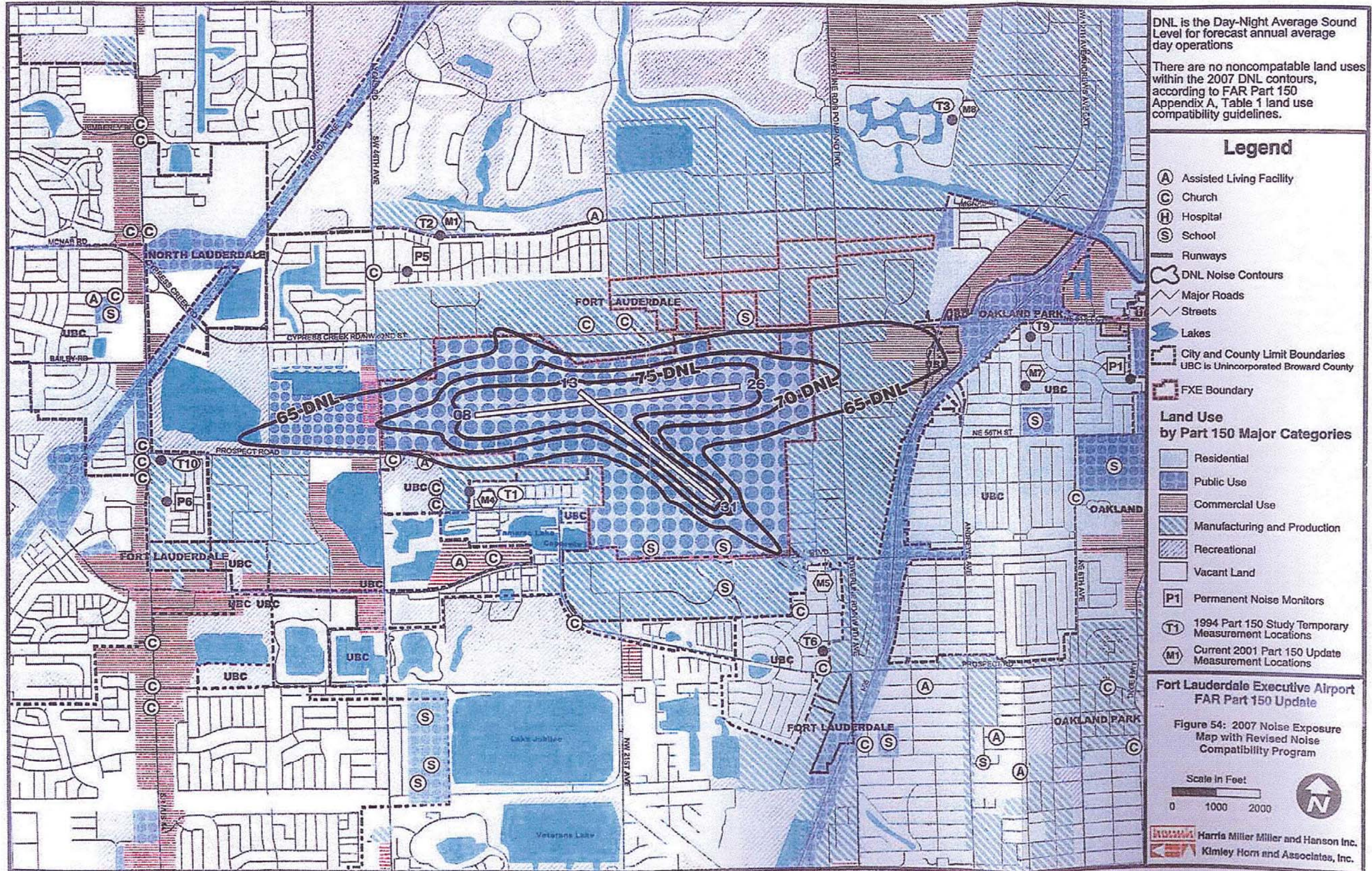
Sources: Municipal Boundaries - GIS data, Broward County Office of Urban Planning & Development (GIS Section), 2005.
 Existing Land Uses - Leigh Fisher Associates and Montgomery Consulting Group based on field inspections, February 2004 and August 2005.
 Future 2012 (Unabated) Noise Exposure Contour - FAA EIS Consultant, September 2006.



FUTURE 2012 (UNABATED) NOISE EXPOSURE
 60 - 65 DNL
 FAR Part 150 Noise Compatibility Study Update
 Fort Lauderdale International Airport
 Broward County Aviation Department
 February 2007



2007 NOISE CONTOUR MAP – FORT LAUDERDALE EXECUTIVE AIRPORT



2015 NOISE CONTOUR MAP – POMPANO BEACH AIRPARK

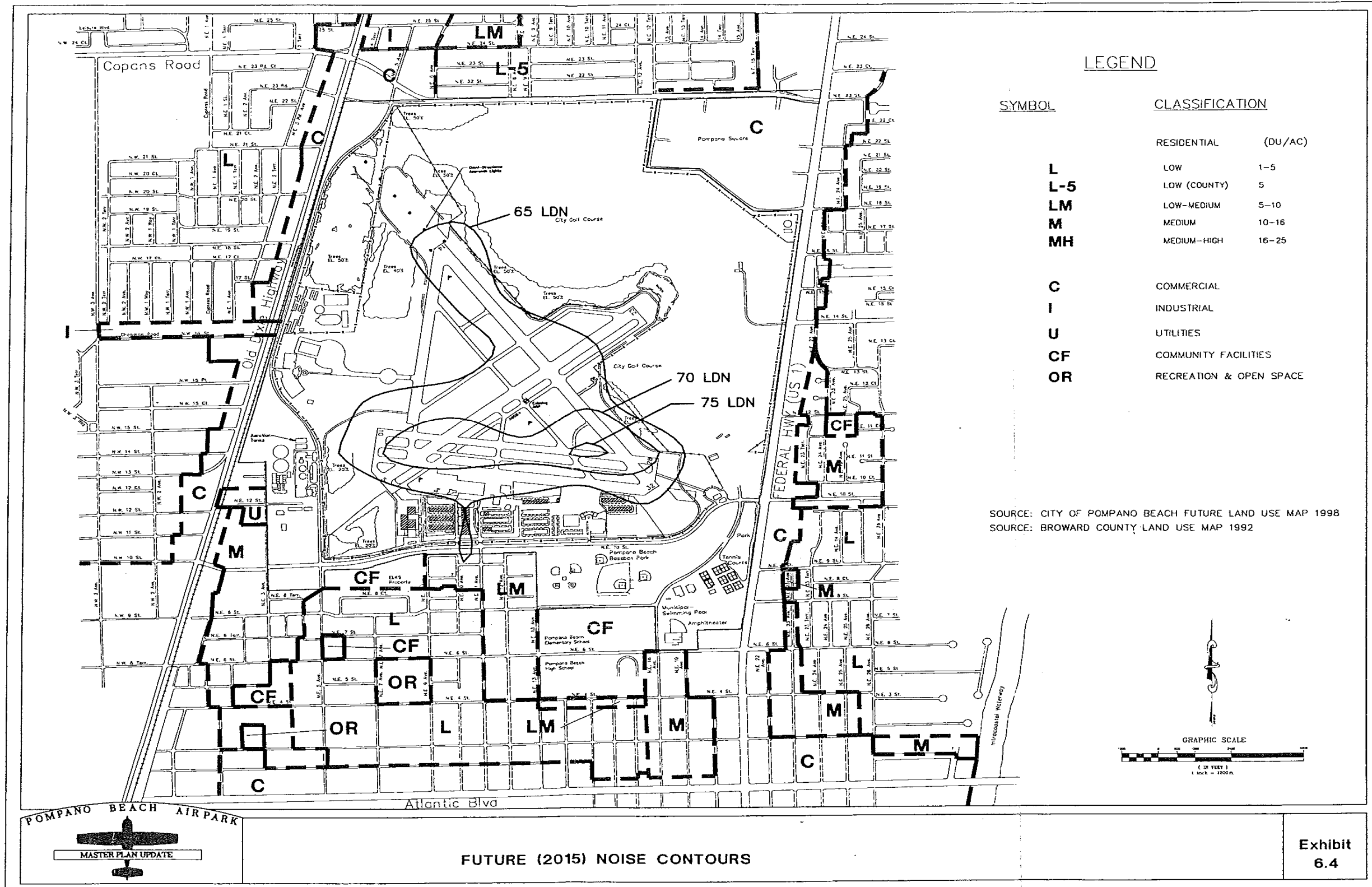


Exhibit I

CITY OF LAUDERHILL HOUSEHOLD SIZES

(Source: Shimberg Center for Affordable Housing, University of Florida)

Year	Number of Persons	Number of Households
2005	1 – 2	13829
	3 – 4	6562
	5	2455
2010	1 – 2	14363
	3 – 4	6842
	5	2559
2015	1 – 2	14646
	3 – 4	6931
	5	2599
2020	1 – 2	14902
	3 – 4	6968
	5	2614
2025	1 – 2	15187
	3 – 4	7027
	5	2638
2030	1 – 2	15415
	3 – 4	7072
	5	2657

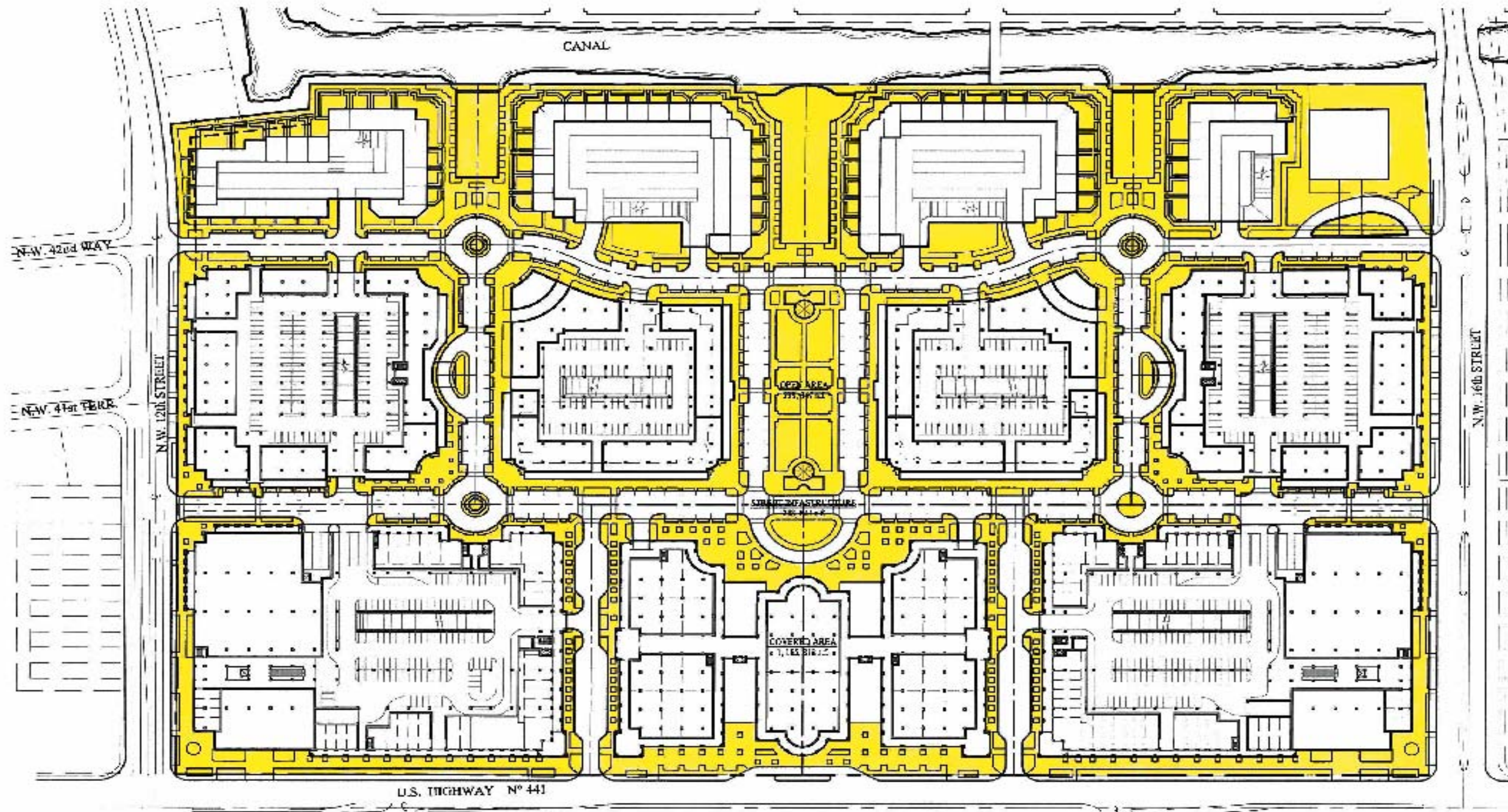
Exhibit J

Revised Table 10.B.2 EXISTING AND PROPOSED LAND USES									
PHASE	NON-RESIDENTIAL (Specify by CH 28-24 F.A.C. Land Use Type)		RESIDENTIAL				OTHER (ROW & Open Space)	TOTAL	
	ACRES	GSF/UNIT	ACRES	D.U.	NET * DENSITY	GROSS** DENSITY	ACRES	ACRES	D.U./GSF
Existing									
Office	0.7	82,480	--	--	--	--	--	0.7	82,480
Retail	45.3	663,133	--	--	--	--	--	45.3	663,133
Existing TOTAL	46.0	758,973	--	--	--	--	--	46.0	758,973
Proposed									
<i>Phase 1 (2018)</i>									
Office (demolished)		0							
Retail (demolished) ††		200,000							
Office (existing)		82,480	--	--	--	--	--		82,210
Office (new)		125,000	--	--	--	--	--		125,000
Retail (existing)		398,469	--	--	--	--	--		398,469
Retail (new)		175,000	--	--	--	--	--		175,000
Residential (new)	--	--	--	665	n/a	14.5 du/acre	--	--	665 units
Other	--	--	--	--	--	--	--	--	--
Phase 1 TOTAL †	--	780,949	--	665	--	14.5 du/acre	--	--	665 units/780,949 sq.ft.
<i>Phase 2 (2023)</i>									
Office (demolished)		0							
Retail (demolished)		120,000							
Office (existing)		82,480	--	--	--	--	--		82,210
Office (new) ‡		425,000	--	--	--	--	--		425,000
Retail (existing)		278,469	--	--	--	--	--		278,469
Retail (new)		562,500	--	--	--	--	--		562,500
Residential (new)		--	4.77	1,330	--	28.9 du/acre	--	4.77	1,330 units
Other	--	--	--	--	--	--	16.75	16.75	--
Phase 2 TOTAL	46.0	1,348,449		1,330	--	28.9 du/acre		46.0	1,330 units/1,348,449 sq.ft.
<i>Phase 3 (2033)</i>									
Office (demolished)		0							
Retail (demolished)		278,469							
Office (existing)		82,480							
Office (new)		425,000	--	--	--	--	--	22.24	507,210
Retail (new)		650,000	--	--	--	--	--		650,000
Residential (new)	--	--	4.77	2,500	--	54.3 du/acre	--	4.77	2,500 units
Other	--	--	--	--	--	--	18.99	18.99	--
Phase 3 TOTAL	46.0	1,157,480		2,500	--	54.3 du/acre		46.0	2,500 units/1,157,480 sq.ft.

* Net Density is not applicable to the Lauderhill City Center project because of the mixed-use nature of the proposed development
 ** Gross Density is calculated by dividing the total number of proposed residential units by the gross acreage of the project site
 † Acreages are not applicable to Phase 1 because the uses associated with Phase 1 can be built in a variety of locations on the site
 †† The (demolished) figures are not cumulative, but represent amount of demolition in each particular phase only.
 ‡ The (new) figures are cumulative and inclusive of new development in previous phase(s)

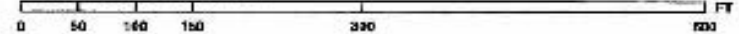
Composite Exhibit K

OPEN SPACE AT PROJECT BUILDOUT



SITE PLAN

AREA ANALYSIS



**OPEN SPACE AREA =
598,847 Square Feet**

SITE PLAN AREA ANALYSIS

DATE	03/24/11
BY	W. J. ...
SCALE	AS SHOWN
PROJECT	LAUDERHILL CITY CENTER
SHEET NO.	03/24

LAUDERHILL CITY CENTER
CITY OF LAUDERHILL, FLORIDA



Vander Ploeg and Associates, Inc.
architects and planners
155 east bayview rd. suite 200
boca raton, florida 33432
954/984-1400
www.vanderploeg.com

Exhibit L



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

November 18, 2008

Certified Return Receipt Requested

Charles L. Siemon
Siemon & Larsen, P.A.
433 Plaza Real, Suite 339
Boca Raton, Florida 33432

Re: Binding Letter of Interpretation of Vested Rights
Lauderhill Mall, City of Lauderhill, Broward County, Florida

File No: BLIVR-11-2008-002
Final Order No: DCA08-BL-340

Dear Mr. Siemon:

We have evaluated your Application for a Binding Letter of Interpretation of Vested Rights dated September 24, 2008, and received by the Department of Community Affairs ("Department") on October 13, 2008. Based on the information contained in the Application and other information obtained during review, the Department enters the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

Preliminary Findings

1. On October 13, 2008, the Department received an Application for a Binding Letter of Interpretation of Vested Rights (BLIVR). The applicant for the BLIVR is LM TIC I LLC, LM TIC II LLC, LM TIC III LLC, LM TIC IV LLC, and LM IDEAL LLC. The authorized representative of LM TIC I LLC, LM TIC II LLC, LM TIC III LLC, LM TIC IV LLC, and LM IDEAL LLC is Mr. Charles L. Siemon.

2. Notice of the Application was published in the *Florida Administrative Weekly* on October 17, 2008.

3. The BLIVR Application was originally submitted to the Department of Community Affairs in January of 2008. The original Department File Number was BLIVR-11-2007-006.

4. Notice of this Application was published in the *Florida Administrative Weekly* on February 8, 2008.

5. The Applicant initially encountered significant difficulties in obtaining information to verify and support the square footage figures set forth in the BLIVR application as vested. The difficulties were due in part to the fact that the City of Lauderhill's permitting records were destroyed and no longer obtainable.

6. In a letter to the Department dated February 4, 2008 the South Florida Regional Planning Council raised questions regarding the location and uses of the square footage requested for vesting by the Applicant.

7. In a letter to the Applicants dated February 8, 2008, the Department reiterated these concerns noting the Application did not provide any information as to the square footage of the building before July 1, 1973. The Department also requested information regarding the use of the property before July 1, 1973.

8. The Applicant attempted to address these concerns with subsequent submissions regarding the uses and square footage of the building prior to July 1, 1973. However, the Department notified the Applicant in a letter dated June 26, 2008 that the subsequent submissions were inconsistent with the square footage alleged in the initial application.

9. The Applicant was able to obtain verified and accurate measurements of the Lauderhill Mall and its out parcel buildings and chose to withdraw its initial application and resubmit the verified data by way of a new BLIVR Application. As stated in Paragraph 1, this document was received by the Department on October 13, 2008 and was given the file number BLIVR-11-2008-002.

10. The BLIVR seeks a determination of vested rights determination for the eligible portions of the Lauderhill Mall and the Ideal Building which total 691,358 square feet.

11. The Lauderhill Mall and the Ideal Building ("the Mall") are located in the City of Lauderhill in Broward County, Florida. The two sites total 46 acres, and are located at North State Road 7 in Section 36 Township 49S Range 41E.

12. A history of the project follows:

has, by his or her actions in reliance on prior regulations, obtained vested or other legal rights that in law would have prevented a local government from changing those regulations in a way adverse to the developer's interests, nothing in this chapter authorizes any governmental agency to abridge those rights.

18. Any project which was constructed or which received authorization to commence development on which there was reliance and change of position prior to July 1, 1973, is vested for purposes of DRI review pursuant to section 380.06, Florida Statutes. The applicant is claiming that the Lauderhill Mall, Ideal Building, and associated out parcel buildings were constructed prior to July 1, 1973.

19. The remaining square footage within the Lauderhill Mall footprint was constructed post-July 1, 1973. The Department may only consider what was constructed or authorized for construction prior to July 1, 1973.

CONCLUSIONS OF LAW

1. All communications made by or on behalf of the applicant, all material submitted in the Application, and all other relevant materials are incorporated herein by reference.

2. Pursuant to section 380.06(20), Florida Statutes, a property owner is entitled to vested rights with respect to DRI review for development that received local authorization to commence development or was developed prior to July 1, 1973.

3. Based upon information submitted by the applicant, which indicates that 691,358 square feet were constructed prior to July 1, 1973, the Department concludes that these square feet making up the Lauderhill Mall, Ideal Building and associated out parcel buildings are vested pursuant to section 380.06(20), Florida Statutes.

ORDER

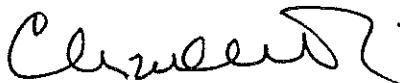
1. It is hereby ordered that Lauderhill City Center has vested rights for 691,358 square feet currently making up the Lauderhill Mall, Ideal Building and associated out parcel buildings pursuant to section 380.06(20), Florida Statutes. This square footage, as listed above, is not subject to DRI review under Chapter 380, Florida Statutes.

2. Any proposed changes may require further review pursuant to sections 380.06(4)(e) and (f), Florida Statutes. Should any of the representations made in the Application be substantially changed, further review of the project may be required.

Lauderhill Mall BLIVR
November 18, 2008
Page 5

This determination does not obviate the need to comply with all other applicable state of local government permitting procedures. Any questions regarding this determination should be directed to Matthew Davis, Assistant General Counsel, at (850) 922-1687.

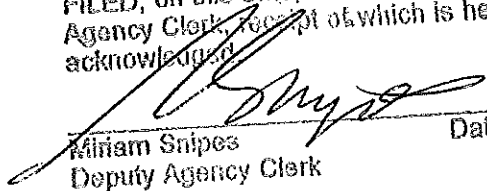
Sincerely,



Charles Gauthier, AICP
Director, Division of Community Planning

cc: Ms. Carolyn Dekle, South Florida Regional Planning Council
Planning and Zoning Department, Lauderhill, Florida

FILING AND ACKNOWLEDGEMENT
FILED, on this date, with the designated
Agency Clerk, receipt of which is hereby
acknowledged.


William Snipes
Deputy Agency Clerk

Date

11/18/08

NOTICE OF RIGHTS

The applicant has the opportunity for a formal administrative proceeding regarding this binding letter pursuant to Sections 120.569 & 120.57(1), F.S. If you dispute any issue of material fact stated in the binding letter, then you may file a petition requesting a formal administrative hearing before an administrative law judge of the Division of Administrative Hearings pursuant to Sections 120.569 & 120.57(1), F.S., and Chapter 28-106, Parts I and II, F.A.C. At a formal administrative hearing, you may be represented by counsel or other qualified representative, and you will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any recommended order.

If you desire a formal administrative hearing, you must file with the agency clerk of the Department of Community Affairs a written pleading entitled "petition for administrative proceedings" within 30 days of receipt of this notice. A petition is filed when it is received by the Agency Clerk in the Department's Office of General Counsel, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

The petition must meet the filing requirements in Rule 28-106.104(2), F.A.C., and must be submitted in accordance with Rule 28-106.201(2), F.A.C. The petition must include the signature of someone authorized to act on your behalf. A petition must specifically request an administrative proceeding, it must admit or deny each material fact contained in the binding letter, and it must state any defenses upon which you rely. You waive the right to an administrative proceeding if you do not file a petition with the agency clerk within the time frames described above.

You may also decide that no formal administrative proceeding is required for this binding letter. If you do not request a formal administrative proceeding, this binding letter constitutes final agency action and is subject to judicial review as set forth below. Any party to this binding letter has the right to seek judicial review of the binding letter pursuant to Section 120.68, F.S., and Florida Rules of Appellate Procedure 9.030(b)(1)(c) and 9.110.

To initiate an appeal of this binding letter, a notice of appeal must be filed with the Department's Agency Clerk, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and with the appropriate district court of appeal within 30 days of the day this binding letter is filed with the agency clerk. The notice of appeal filed with the district court of appeal must be accompanied by the filing fee specified in Section 35.22(3), F.S., and must be substantially in the form prescribed by Florida Rule of Appellate Procedure 9.900(a).

Lauderhill Mall BLIVR
November 18, 2008
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You waive your right to judicial review if the notice of appeal is not timely filed with the agency clerk and the appropriate district court of appeal.

Mediation under Section 120.573, F.S., is available with respect to the issues resolved by this binding letter. A request for mediation must include the information required by Rule 28-106.402, F.A.C. Choosing mediation does not affect the right to an administrative hearing.