



NW 16th Street

## Lauderhill City Center Responses to Statement of Information Needed (Second 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:*

*Siemon & Larsen, P.A.*

July 2, 2009 (**DRAFT – NOT FINAL**)



NW 12th Street

## Table of Contents

<b>COMMENTS BY THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL</b> .....	3
General Comments: .....	3
Question 6: .....	3
Question 9, Maps: .....	3
Question 10, Development Program:.....	3
Question 17, Water Supply: .....	4
Question 21(F), Transportation (Roadway Improvements) .....	5
Question 21(I), Transportation (Provisions for Alternative Modes of Transportation) .....	5
Question 29, Energy: .....	5
<b>COMMENTS BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT</b> .....	7
Question 17: Water Supply .....	7
<b>COMMENTS BY BROWARD COUNTY</b> .....	12
The Environmental Protection and Growth Management Department, Planning and Redevelopment Division .....	12
Broward Metropolitan Planning Organization Division .....	12
Development and Environmental Regulation Division .....	13
Aquatics and Wetlands Resources Section.....	14
Pollution Prevention, Remediation and Air Quality Division .....	14
Transportation Department .....	15
<b>COMMENTS BY THE CITY OF LAUDERHILL</b> .....	17
Question 9 .....	17
Question 10, Part 1: .....	19
<b>COMMENTS BY THE CITY OF PLANTATION</b> .....	23
<b>COMMENTS BY FLORIDA DEPARTMENT OF TRANSPORTATION</b> .....	26
General Comments. ....	26
Trip Generation .....	27
Trip Distribution .....	27
Mitigation .....	27
Multi-Modal.....	28

**COMMENTS BY THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL****General Comments:**

**Comment:** The number of square feet of existing and proposed land uses appears to be inconsistent and does not appear to reflect information provided in the Binding Letter (BLIVR) dated November 18, 2008 from the Florida Department of Community Affairs. Please reconcile any inconsistencies in the application, as needed.

**Applicant's Response:** *The number of square feet provided in the BLIVR only includes development that was built prior to July 1, 1973. While 691,358 square feet of commercial development had occurred prior to that date, additional development occurred more recently. Thus, the total existing number of square feet is greater than, not equal to, the vested amount.*

**Question 6:**

**Comment:** On January 24, 2008, South Florida Regional Planning Council received a copy of the application for Binding Letter of Interpretation for Vested rights Determination (BLIVR), in which the Applicant requests vesting for the Lauderhill Mall Properties (including out parcels) totaling 615,577 square feet. On November 18, 2008, the Department of Community Affairs (DCA) issued a BLIVR for the Lauderhill Mall site citing a figure of 691,358 square feet. Please be consistent throughout the application in the square footage of existing and proposed land uses, especially with regard to retail uses.

**Applicant's Response:** *The Applicant submitted a second Application for BLIVR, withdrawing the initial application, to request vesting for 691,358 square feet after conducting a professional survey of the property which revealed that the amount requested in the initial application was not accurate.*

**Question 9, Maps:**

**Comment:** The Applicant's response is insufficient because Council staff could not locate a revised Map H in the SIN1 Response materials. Please revise and resubmit Map H, and other maps as required, in accordance with agency SIN2 comments.

**Applicant's Response:** *The Applicant has included the requested revised maps, which are attached to these responses as Exhibit A.*

**Question 10, Development Program:**

**Comment:** The Applicant's response is insufficient. Please respond to agency SIN2 comments regarding the Applicant's proposed equivalency matrix.

**Applicant's Response:** *Please see page 22 of this Response to SIN2 for Applicant's response to comments from the City of Lauderhill regarding the equivalency matrix.*

**Comment:** The project costs information provided in Table 10.F on page 8 of ADA is not sufficient because it does not provide the cost breakdown by land use and by activity. Please provide the additional project costs information indicated in the tables as below.

***Applicant's Response:***

**TABLE 10.F.1: Project Costs by Land Use  
(2007 Constant Dollars)**

Phase	Land Use	Unit	Cost
Phase 1	Residential (Unit)	\$113/S.F. to \$118/S.F.	\$65,880,550
	Office (S.F.)	\$120/S.F.	\$31,666,320
	Retail (S.F.)	\$115.6/S.F.	\$40,132,200
Phase 2	Residential (Unit)	\$110/S.F. to \$119/S.F.	\$116,691,780
	Office (S.F.)	\$120/S.F.	\$27,115,440
	Retail (S.F.)	\$105/S.F. to \$116/S.F.	\$27,580,193
Phase 3	Residential (Unit)	\$119/S.F. to \$122/S.F.	\$251,475,240
	Office (S.F.)	\$120/S.F.	\$2,900,160
	Retail (S.F.)	\$105/S.F. to \$110/S.F.	\$10,414,970
TOTAL	--	--	\$573,856,853.00

**Question 17. Water Supply:**

**Comment:** The Applicant's response is insufficient because of remaining missing information. The Applicant has provided projections for non-potable water demands, but the concern for the source of non-potable water demand remains. The Applicant does state stormwater recapture systems on new buildings will be used for supplementing irrigations needs; however, clarification on the source of remaining irrigation needs should be addressed. 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 (.203 MGD). The Applicant needs to obtain a letter from the City of Lauderhill stating that capacity will be available to supply water throughout all phases of the project as well as postdevelopment. The Applicant is reminded of legal requirements, brought about by the 2005 Growth Management Legislation (formerly SB 444 and SB 360), which link water supply planning and growth management and mandate concurrency between the provision of water supplies and future development. To demonstrate water supply availability and consistency with the local government comprehensive plan for the proposed DRI, the Applicant needs to provide the City's current Consumptive Use Permit (CUP) potable water allocation from the Biscayne Aquifer as part of its response to Question 17. This number will demonstrate if the City has enough unallocated Biscayne Aquifer water to support the proposed DRI or if the proposed supply will have to come from alternative water supply projects. The Applicant should include figures for the remaining unallocated Biscayne Aquifer potable water that reflect the portion of this water supply already committed to other developments in-process. If the needed potable water must come from alternative water supply sources the Applicant should respond to Question 17, Part F (2) to indicate the feasibility of those sources, what those sources will be, how much they will cost, their timing,

who will construct them and if those sources are already programmed into the City of Lauderhill's Capital Improvements Element.

The Applicant should coordinate with the City of Lauderhill and the South Florida Water Management District (District) to provide the missing information and is advised to address the comments identified by the District. Furthermore, a Development Order (DO) condition should be incorporated into the future DO to require that the Developer demonstrate that the City of Lauderhill has an adequate permitted allocation of potable water and water treatment and delivery facilities to meet the needs of the development prior to the issuance of a Certificate of Occupancy.

***Applicant's Response:*** *The Applicant has met with representatives from the South Florida Water Management District and addressed the agency's concerns. Written responses to the SFWMD's comments are provided on pages 7 to 11 of this Response to SIN2.*

#### **Question 21(F). Transportation (Roadway Improvements)**

**Comment:** Council staff agrees with FDOT comments regarding the Applicant's observation of SR7/441 being a constrained facility. The Applicant should present other mitigations including improved transit services and improve signalization on SR7/441 and supporting arterials.

***Applicant's Response:*** *Please see the Applicant's response in this Response to SIN2 to FDOT comments regarding a proposed alternative mitigation methodology.*

#### **Question 21(I). Transportation (Provisions for Alternative Modes of Transportation)**

**Comment:** The Applicant's response is insufficient. Please consider comments made by FDOT and other agencies.

***Applicant's Response:*** *Please see the Applicant's response in this Response to SIN2 to FDOT comments regarding a proposed alternative mitigation methodology and multi-modal issues.*

#### **Question 29, Energy:**

**Comment:** The Applicant's response is insufficient. Council staff acknowledges the Applicant's letter from FPL regarding sufficient capacity to provide electric service to the project (i.e., Exhibit G). However, the Applicant has neglected to address energy conservation issues, such as the use of alternative fuels for support vehicles (security, lawn care, maintenance fleets), and support apparatus (lawn care equipment), the addition of alternative fuels at retail business that use automotive fuel, etc.; the use of solar technologies for lighting purposes; the availability of electric plug-in receptacles for garages (for electric cars), for example.

***Applicant's Response:*** *The Applicant fully supports the use of alternative fuels and other energy conservation measures. As such, the Applicant agrees to consider using natural gas and/or renewable energy sources (e.g., solar heating) for water heating, space heating, air-cooling, and lighting control as well as activities related to the operation and maintenance of the project, such as security and support staff vehicles. The Applicant further agrees to consider using electrical plugs in all parking garages for vehicles. At a minimum, the Applicant agrees to a condition of approval that all new development in the Lauderhill City Center DRI shall be constructed in conformance with the specifications of the applicable building code at the time of the issuance of the building permit and the*

*Florida Building Code, which is the statewide uniform standard for energy efficiency in the thermal design and operation of all buildings in the State of Florida.*

**COMMENTS BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT****Question 17: Water Supply**

**Comment (1):** In response to SFWMD comment 1, the first paragraph states that the project “will generate approximately 0.014 MGD of non-potable water . . . .” Please clarify the meaning of the term “generate.”

**Applicant’s Response:** *In response to the reviewer’s question of whether the Lauderhill City Center “will . . . include landscaping,” and if so, then “please provide the methodology for calculating the project’s demand,” the Applicant explained that the open, green areas of the project will be landscaped and then determined that those landscaped areas will generate (or bring into existence) the demand (or need) for “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.” The methodology employed to reach those demands was a generation rate of one inch of water per week per square foot of area requiring irrigation.*

**Comment (2):** In the response to SFWMD comment 1, there is discussion in the second paragraph concerning “non-potable” demands for landscape irrigation; however, Table 17.1 and other text implies that the project’s landscape irrigation demands will be met by using potable water. Please clarify the source(s) of the project’s landscape irrigation demands for all phases of development.

**Applicant’s Response:** *Regarding the water supply source that will be used to satisfy the Lauderhill City Center’s landscape irrigation demands (as illustrated in Table 17.1), the Applicant assumes for purposes of this DRI review that all non-potable water demands will be met by an off-site water supply. More specifically, the off-site water supply used to meet both potable and non-potable water demands will be potable water provided through the City of Lauderhill’s municipal water distribution system. Table 17.3 has been revised to reflect this point of clarification more clearly.*

*Finally, and as explained in the Applicant’s Response to SIN1, while the Applicant proposes to use potable water to address all potable and non-potable water demands, the Applicant will also attempt to address (to the greatest extent possible) the Lauderhill City Center’s landscape irrigation needs by using non-potable water from both on-site and off-site water supplies, such as stormwater recapture systems and “reuse” water (when it becomes available from Broward County). However, it is impossible at this time to quantify the amount of non-potable water that the Applicant will be able to obtain from such alternative sources and as a result, the Applicant has not made any assumptions in that regard.*

**Comment (3):** If it is the intent of the developer to use potable water to meet some or all of the project’s landscape irrigation demands, this additional use of potable water needs to be clearly reflected in the submitted Tables. If it is the intent of the developer to solely use potable water for landscape irrigation, then the tables should be revised to reflect only the use of potable water (i.e., the non-potable columns should be deleted). If only potable water is being used, Tables 17.1 and 17.3 should be consolidated.

**Applicant's Response:** *As explained, for purposes of DRI review, the Applicant is proposing to use only potable water for all its water needs, including landscape irrigation.*

*The Applicant has consolidated Tables 17.1 and 17.3 pursuant to the reviewer's request.*

**Comment (4):** The table provided in response to SFWMD comment 2 (page 15 of 35) indicates that the Phase 3 demand will be 0.670 MGD. Table 17.1 indicates that the Phase 3 demand will be 0.746 MGD. Please clarify and revise, as necessary.

**Applicant's Response:** *The table provided on page 15 was provided as part of the section discussing the Applicant's revised potable water demand projections for "Residential Uses," and therefore, the table only reflects potable water demand projections that can be attributed to the residential uses in the proposed Lauderhill City Center. The table does not show the water demand projections associated with other uses or for irrigation purposes and therefore, does not show the total Phase 3 demand.*

*The total Phase 3 water demand projections, that is, projections that are based on all land uses (residential, office, and retail) and projections based on irrigation needs are listed in Table 17.1 (as revised herein). Please note that the water demand projection for "Residential (new)" in Phase 3 is 0.670 MGD, just as it is listed in the table on page 15.*

**Comment (5):** In response to SFWMD comment 2, the developer states that the City's potable water level of service will be reduced from 110 to 100 gallons per capita per day for all years after 2010. This reduced level of service was used in calculating the project's demands. However, no supporting documentation was provided. Please provide. Please note that the Water Use Permit issued to the City in 2004 is based on a level of service of 132 gallons per capital per day.

**Applicant's Response:** *The Infrastructure Element of the City of Lauderhill's Comprehensive Plan, which sets forth the City's potable water level of service, is attached at Exhibit B to this Response to SIN2.*

**Comment (6):** According to the response to SFWMD comment 3 and Table 17.2, the developer estimates that the existing mall development is currently using 0.151 MGD of potable water. However, no supporting documentation was provided. Please provide.

**Applicant's Response:** *The Applicant estimates that the existing mall development is currently using 0.110 MGD of potable water, not 0.151 MGD. The 0.110 MGD estimate was calculated by the method set forth in response to SFWMD comment (3) on page 16 of the Applicant's Response to SIN1. Information supporting the methodology was provided to the Applicant by the City of Lauderhill.*

**Comment (7):** The City has committed to provided 0.203 MGD of potable water for Phase I, up to the 2018. At this time, it is still not clear if this will be adequate to meet the demands of Phase I, pending the submittal of additional documentation concerning existing water use, use of potable water for landscape irrigation, and adopted level of service issues. In addition, how will the demands for the remaining phases of the project be met? The developer is relying upon the City's proposed 10-Year Water Supply Facilities Work Plan; however, the proposed Work Plan lacks clear commitments for alternative water supply projects, water conservation, and water reuse. The Department of Community Affairs July 1, 2008 Objections, Recommendation and Comments (ORC)

Report for the City's proposed 10-Year Water Supply Facilities Work Plan includes objections related to these issues.

***Applicant's Response:*** *As explained in response to the previous comments, the City's commitment of providing 0.203 MGD of potable water is sufficient to meet the potable and non-potable water demands of Phase I of the proposed Lauderhill City Center.*

*Water demand for subsequent phases of development will be met by new water supply facilities described in the City's 10-Year Water Supply Facilities Work Plan. The Applicant recently met with planning officials from the City of Lauderhill and was informed that the City has addressed the issues raised in the DCA's ORC Report and that the City's revised 10-Year Water Supplies Facilities Work Plan been duly noticed and adopted by the City Council and transmitted to DCA, which recently published its Notice of Intent to find it in compliance with all applicable legal requirements.*

**Comment (8):** The letter of commitment by the City of Lauderhill should be revised, as necessary, to address the above comments and all applicable requirements of Question 17.F.1 and 2.

***Applicant's Response:*** *As explained in response to the previous comments, no revisions to the City's letter of commitment are necessary.*

Revised Table 17.1/17.3 POTABLE/NON-POTABLE WATER DEMAND AND SUPPLY					
Phase/Land Use	Potable Water*	Non-Potable Water		Total Demand	Total Off –Site Supply**
		Irrigation	Other		
Existing					
Retail	0.096 MGD	0 MGD	0 MGD	0.096 MGD	0.096 MGD
Office	0.012 MGD	0 MGD	0 MGD	0.012 MGD	0.012 MGD
<b>Total</b>				<b>0.110 MGD</b>	<b>0.110 MGD</b>
Phase 1 (2019)					
Retail (existing)	0.069 MGD	0 MGD	0 MGD	0.069 MGD	0.069 MGD
Office (existing)	0.012 MGD	0 MGD	0 MGD	0.012 MGD	0.012 MGD
Retail (new)	0.025 MGD	0 MGD	0 MGD	0.025 MGD	0.025 MGD
Office (new)	0.018 MGD	0 MGD	0 MGD	0.018 MGD	0.018 MGD
Residential (new)	0.174 MGD	0 MGD	0 MGD	0.174MGD	0.174 MGD
Irrigation	0 MGD	0.014 MGD	0 MGD	0.014 MGD	0.014 MGD
<b>Phase 1 Total</b>				<b>0.313 MGD</b>	<b>0.313 MGD</b>
<b>Net total</b>				<b>0.203 MGD</b>	<b>0.203 MGD</b>
Phase 2 (2024)					
Retail (existing)	0.052 MGD	0 MGD	0 MGD	0.052 MGD	0.052 MGD
Office (existing)	0.012 MGD	0 MGD	0 MGD	0.012 MGD	0.012 MGD
Retail (new)	0.082 MGD	0 MGD	0 MGD	0.082MGD	0.082MGD
Office (new)	0.062 MGD	0 MGD	0 MGD	0.062 MGD	0.062 MGD
Residential (new)	0.353 MGD	0 MGD	0 MGD	0.353 MGD	0.353 MGD
Irrigation	0 MGD	0.014 MGD	0 MGD	0.014 MGD	0.014 MGD
<b>Phase 2 Total</b>				<b>0.573 MGD</b>	<b>0.573 MGD</b>
<b>Net total</b>				<b>0.464 MGD</b>	<b>0.464 MGD</b>
Phase 3 (2034)					
Retail (existing)	0.000 MGD	0 MGD	0 MGD	0.000 MGD	0.000 MGD
Office (existing)	0.012 MGD	0 MGD	0 MGD	0.012 MGD	0.012 MGD
Retail (new)	0.094 MGD	0 MGD	0 MGD	0.094 MGD	0.094 MGD
Office (new)	0.062 MGD	0 MGD	0 MGD	0.062 MGD	0.062 MGD
Residential (new)	0.669 MGD	0 MGD	0 MGD	0.669 MGD	0.669 MGD
Irrigation	0 MGD	0.019 MGD	0 MGD	0.019 MGD	0.019 MGD
<b>Phase 3 Total</b>				<b>0.856MGD</b>	<b>0.856 MGD</b>
<b>Net total</b>				<b>0.746 MGD</b>	<b>0.746 MGD</b>

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
<b>Existing Total</b>			<b>0.110 MGD</b>
Phase 3 (2034)			
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
<b>Phase 3 Total</b>			<b>0.837 MGD</b>
<b>Net total (minus existing demand)</b>			<b>0.727 MGD</b>
*Source: City of Lauderhill			

**COMMENTS BY BROWARD COUNTY****The Environmental Protection and Growth Management Department, Planning and Redevelopment Division**

**Comment:** This DRI should be analyzed from a regional perspective. We recommend a comprehensive transportation analysis (transit, roads, . . . ) including the following DRIs located in the central area of the County impacting the major East-West transportation corridor. . . .

**Applicant's Response:** *The Applicant performed the transportation analysis in accordance with the agreed upon methodology.*

**Broward Metropolitan Planning Organization Division**

**Comment:** Arterial capacities used in [Table 21-A-1] should vary according to the number of signals per mile not just arterial class.

**Applicant's Response:** *As noted in footnote 1 of Table 21-A-1, roadway capacity analyses were based on the Broward County MPO's Roadway Level of Service report which, at the time, was for years 2005 to 2030. The capacities reported in the county's report are based on FDOT's Generalized Level of Service Tables. As stated in the Applicant's Response to SIN1, "[f]or 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." A review of the MPO's Roadway Level of Service report reveals that all the 2-way arterials in the study area were assigned a design code that corresponds with them being a Class II roadway.*

**Comment:** There are inconsistencies between turning movements 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 SR 7 and Oakland Park Blvd intersection carries 1,724 vph during the 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

**Applicant's Response:** *Our traffic data collection efforts were conducted in accordance with the agreed upon methodology and were field verified by supervisors to ensure that the traffic count personnel were where they were supposed to be and were counting as instructed.*

**Comment:** Some of the 2007 ADT [in Table 21-A-2] 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.

**Applicant's 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:** 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.

**Applicant's 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 McMahan.*

*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.*

**Comment:** 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.

**Applicant's Response:** *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 and Environmental Regulation Division**

**Comment:** The following paragraph shall be included in any proposed Development Order for the Lauderhill City Center DRI under Transportation requirements:

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

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

***Applicant's Response:*** No response required.

### **Aquatics and Wetlands Resources Section**

**Comment:** Any activities, e.g., lake or canal excavation, regulation under Article XI of the Natural Resource Protection Code, may require a license.

***Applicant's Response:*** No response required.

### **Pollution Prevention, Remediation and Air Quality Division**

**Comment:** We do not concur with the applicant's response to Question 22. We would like to request that the applicant addresses [sic] the Air Quality Parking Facility requirements provided to the applicant at the pre-application meeting, to determine if a carbon monoxide air quality analysis would be needed. This analysis, for each phase as well as build out, would be based upon FDEPs "Guidelines for Evaluating the Air Quality Impacts of Indirect Sources," Broward County Environmental Protection and Growth Management Department (DPGMD) Parking Facilities license will be required prior the construction of any parking facilities. In accordance with Broward County Ordinance Sec. 27-176, a parking facility license will be required prior to construction of a new parking facility or modification [sic] an existing one. The applicant shall submit a parking facility license application, prepare an air quality impact study and obtain a parking facility license if the number of parking spaces for the entire DRI is greater than or equal to 1,500 surface parking spaces; or 750 multi-level parking spaces; or combined 1,000 surface and multi-level parking spaces. The approved analysis will demonstrate that the National Ambient Air Quality Standards for Carbon Monoxide will not be violated as a result of this project. After the transportation analysis has been reviewed and determined to be sufficient, Question 22 Air Impacts for impacted intersections and parking must be addressed. Prior to assessing air impacts it is our recommendation that the applicant's representative schedule a methodology meeting with the Air Quality Program and Florida Department of Environmental Protection to further discuss air quality parameters and parking facilities requirements.

In addition, FDEP's guidelines require that all Level of Service (LOS) "E" or "F" intersections impacted by 5% or more project traffic and any surface parking areas of 1,500 vehicle trips per hour or a parking garages [sic] of 750 vehicle trips per hour be considered for air quality modeling.

***Applicant's Response:*** As provided in the Agreement to Delete Questions, the Applicant will work with staff from the SFRPC, FEDP and Broward County EPD to determine which affected intersections or parking structures (if any) will require air quality modeling. The Applicant will also work with EPD to ensure that applicable requirements for complex source modeling are met. As noted by the reviewer, prior to assessing air impacts, the Applicant will meet with FDEP, EPD and SFRPC to further discuss air quality and parking facility requirements.

**Transportation Department**

**Comment:** As stated, due to its location, this unique proposed project has substantial TOD potential and existing strong transportation connections, as this site currently services five (5) BCT Bus Routes, and three (3) Cities operates Community Buses at this site.

***Applicant's Response:*** No response required.

**Comment:** The applicant may want to consider the NEW (2008) Guidelines and Performance Measures to Incorporate Transit and Other Multimodal Considerations.

***Applicant's Response:*** No response required.

**Comment:** Transit locations and transit circulation/movements needs to be emphasize and detailed . . . for all existing and future fixed-route and community bus routes serving this site.

***Applicant's Response:*** Please see revised Map H, attached as Exhibit A, which illustrates all transit routes and transit circulation/movements.

**Comment:** Pedestrian and bicycle access and connectivity to transit modes are critical, as stated in the ADA. There needs to be both internal and external pedestrian and bicycle connections. Please indicate and illustrate how this will be achieved. Please detail ALL pedestrian crossings and circulation to ensure easy access to all buses on BOTH sides of SR 7/441. A mid-block pedestrian crossing may which to be considered, at the central bus/transit location.

***Applicant's Response:*** Please see revised Map H, attached as Exhibit A, which illustrates all pedestrian and bicycle circulation patterns and connections.

**Comment:** Since this is a phased development, the existing BCT transit transfer center, on the Lauderhill, will require relocation. Phasing of the bus facilities will need to be detailed and specifically included in the DO. The proposed site plan should indicate all bus locations and bus circulation.

***Applicant's Response:*** The relocation of the BCT transfer center will take place by the completion of Phase 1 (2019). The locations for the local and express bus stops as well as anticipated bus circulation patterns are depicted on revised Map H; however, in the event the City of Lauderhill receives grant funding to construct a bus facility with more capacity than that which is currently proposed, the Applicant has agreed to cooperate with the City to accommodate that facility, which may be constructed in another location on the site (for example, at the intersection of SR 7/US 441 and NW 12th Street) and to accelerate the relocation.

**Comment:** The bus stops and pull out bays, [sic] need to be designed to meet FDOT Transit and Roadway and County engineering standards. The proposed site plan (Exhibit D) should be modified.

***Applicant's Response:*** *At the time of site plan approval, the applicant will ensure that all FDOT and Broward County design standards are satisfied in the design of the bus stops and pull out bays.*

**Comment:** The bus stops/facilities should have the appropriate canopy, landscaping, and transit facilities and be specified in the DO. Bus stop on both sides of SR7/441 should be designed for this DRI.

***Applicant's Response:*** *The Applicant will adhere to all applicable standards in the design and construction of transit related amenities.*

**Comment:** Identify and recommend modifications to the existing transit service to maintain or improve local and regional LOS transit standards. This may include the cost of extending or enhancing transit service and associated amenities to the DRI (including operations costs where applicable). Develop cost estimates for such multimodal and transit improvements (which should also include pedestrian and bicycle connections to transit). Please also include funding for the city's community bus services, including connections to surrounding cities, utilizing community buses.

***Applicant's Response:*** *The Applicant will satisfy the County's regional transportation concurrency requirements through payment of the appropriate transit oriented concurrency assessment. As an alternative, the Applicant has proposed alternative mitigation methodology in response to comments from the FDOT. Please see those responses.*

**COMMENTS BY THE CITY OF LAUDERHILL****Question 9**

- a. *Map D.* The revised response indicates Map D (previously an aerial photograph offered as the required land use map) has been revised to show abutting uses. The Department finds Map D has been replaced with Maps D, D1 and D2. Map D is titled land use map but it is mislabeled; it displays Future Land Use Map Series designations. Map D1 is titled On-Site Land Uses; however, it does not display all on-site land uses. For example, it does not identify the:
- land use(s) within the building south of the retail mall and north of the mass transit facility;
  - land use(s) in the building located at the northeast corner of the property (formerly a restaurant);
  - land use(s) located in the two buildings located at the southeast corner of the property (automotive repair and bank uses);
  - land use(s) in a small building located at the southwest corner of the property; and
  - the existing parking areas.

Map D2 is called Survey but the quality is so poor that the Department cannot determine whether the required utility and drainage easements are displayed. *Thus, the City recommends the revised response be amended to add a map or maps displaying all on-site land uses, utility and drainage easements, and abutting land uses.*

***Applicant's Response:*** Revised versions of Maps D, D1, and D2 are attached as Composite Exhibit C.

- b. *Map H.* The revised response states Map H has been revised in accordance with the below referenced comments but the City finds the package does not include Map H. The previous comments were as follows: “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.” *Consequently, the City recommends the revised response be amended to add a Map H that addresses the above described comments.*

***Applicant's Response:*** *A revised version of Map H is attached at Exhibit A.*

- c. *Map J.* The revised response states Map J, titled Transportation Network, has been revised in accordance with the below referenced comments. The previous comments noted the map does not clearly show the south, east and west study area boundaries or the public transit stations within the study area. The Department finds Map J has been revised to show the study area boundaries are I-595 to the south, North Andrews Avenue to the east and Nob Hill Road to the west. It also displays a public transit terminal at the Lauderhill Mall and another at the West Regional Terminal, generally located north of Broward Boulevard and east of University Drive. The Department finds Map J fails to identify the Lauderhill Community Shuttle terminal located in the Inverrary Falls Shopping Center, generally located on the north side of Oakland Park Boulevard and west of NW 56<sup>th</sup> Avenue. *Thus, the City recommends Map J be modified to add the location of the Lauderhill Community Shuttle terminal.*

***Applicant's Response:*** *A revised version of Map J is attached at Exhibit D.*

**Question 10, Part 1:**

- a. *Major elements.* The Department originally requested 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 revised response notes the existing public transit facility would be temporarily relocated from its location at the southwest quadrant of the property to the east side of State Road 7; however, its location along SR-7 is not identified. It also notes that after an undetermined time period, the temporary public transit terminal would be permanently relocated at the heart of the development. The facility capacity would be expanded from six (6) to 20 buses. Facility capacity data by Phase, however, was not provided. *Thus, modify the revised response by identifying the facility capacity as it relocated from one location to another.*

***Applicant's Response:***

The revised response identifies 558,665 square feet (12.83 acres) of open space, including green areas, plazas, and sidewalks, but it does describe whether this amount is during Phase 2 or 3 (buildout). Further, the size of the open space is inconsistent with the size as shown in the two maps in Composite Exhibit H. Those maps show 523,865 square feet of open space at the end of Phase 2 and 598,847 square feet of open space at project buildout. *Thus, the City recommends the revised response be modified to reference the maps in composite Exhibit H and to reconcile the size differences.*

***Applicant's Response:*** *On pages 23 and 28 of the Applicant's Response to SIN1, the Applicant stated that the amount of open space at build out would be equal to 558,665 square feet (12.83 acres); however, that area did not include the three water bodies located along the property's western boundary. The total area of those water bodies is 40,182 square feet (two at 9,100 square feet and one at 21,982 square feet). Thus, when the area of the three water bodies is included in the open space calculation, the total amount of open space area becomes 598,847 square feet (558,665 + 40,182 =*

598,847), which is the area reflected on map that was attached in Composite Exhibit K to the Applicant's Response to SIN (note that the water bodies are colorized on the maps).

The Applicant hereby revises the responses previously provided on pages 23 and 28 of its Response to SIN1 to clarify that the total amount of open space (defined for current purposes as areas that are open to the sky, not including roads, such as plazas, sidewalks, water bodies, and green spaces) at the conclusion of Phase 3 (build out) will be 589,847 square feet. At the conclusion of Phase 2, there will be 523,865 square feet of open space. These numbers are consistent with the numbers shown on the maps attached in Composite Exhibit K to the Applicant's Response to SIN1.

Of the 558,665 square feet of open space, the revised response notes that 250,212 square feet will be devoted to green space (44.79 percent). The Department notes that two maps are included in Composite Exhibit D that show the location and size of the green areas in Phases 2 (154,567 square feet) and buildout (250,212 square feet) but these maps are not referenced in the revised written response. Thus, the City recommends the revised response be amended to specifically identify the maps in Exhibit D and the size of the green areas by Phase.

**Applicant's Response:** The Applicant hereby revises the response it provided on page 23 of its Response to SIN1 to clarify that:

*At buildout there will be approximately ~~558,665~~ 589,847 square feet of open space, that is, areas that are open to the sky, not including roads, such as plazas, sidewalks, water bodies, and green spaces in the Lauderhill City Center. Of that total area, 250,212 square feet will be green space (as depicted on the figure attached as part of Composite Exhibit D to the Applicant's Response to SIN1).*

*Please recall that it is simply impossible to state the size of the green areas at the conclusion of Phase 1 because the exact sequence in which the pods will be redeveloped during the first two phases of redevelopment is subject to considerable variation. What is known, however, is that at the conclusion of Phase 2 all of the pods will be redeveloped except for Pods 5, 6 & 7. Pods 5, 6 & 7 are the pods on which the existing Lauderhill Mall is located and the demolition of the existing mall and redevelopment of those pods are activities that will occur in Phase 3. Therefore, the Applicant is only able to give green area totals for Phases 2 and 3, as provided on the maps that were attached to the Applicant's Responses to SIN1 in Composite Exhibit D.*

- b. *Existing and proposed land uses.* The Department requested Table 10.B.2 be amended to add the size of land uses that are being demolished as described in the response to Question 10.A. The revised response states the amount of office and retail space demolished during each phase of the proposed development has been added to the revised Table 10.B.1 but the Department could not find such revised table in the application. Thus, *amend the revised response to provide the revised Table 10.B.1.* Alternatively, if the reference to Table 10.B.1 is incorrect, then identify the correct table number.

***Applicant's Response:*** *The reference to Revised Table 10.B.1 was a scrivener's error. The reference should have been to Revised Table 10.B.2, which was attached to the Applicant's Response to SIN1 as Exhibit J.*

The revised response provides in Exhibit J a revised Table 10.B, which shows the size of the demolished and newly added land uses by Phase. The Department finds several problems with the data. First, Phase 1 shows the demolition of 200,000 square feet of retail use and the retention of 398,469 square feet of retail use for a total of 598,469 square feet. But this total is 64,664 square feet less than the existing 663,133 square feet of retail space. So this difference needs to be reconciled. Second, the table contains a column titled Other (ROW & Open Space) but no entries are made under the existing condition rows. The Retail cell of that column should reflect 4.31 acres, which would then increase the total to 50.31 gross acres, consistent with table in the revised response to Question 5. Third, the table does not display any net residential densities and the gross densities are incorrectly calculated. Net residential density is based on the number of dwelling units divided by the net size of the property, i.e., 46.0 acres. Gross residential density is based on the number of dwelling units divided by the gross size of the property, i.e., 51.31 acres. Fourth, the table does not display the size in acres of the residential uses during the various project phases. Fifth, the Phases include a category called "Other" and it is unclear what land uses are covered under that category; separate entries should be made for green space, open space that is not green space, and transportation (including roads and transit). Based on Phase 2 calculations, transportation (roads and parking) appears to occupy 4.72 acres or less than 10 percent of the gross size. Based on typical development patterns, transportation consumes more than 20 percent of a development.

*Therefore, the City recommends Table 10.B.2 be revised to address the above described concerns.*

***Applicant's Response:*** *Table 10.B.2 has been revised accordingly and provided as Exhibit E of this Response to SIN2.*

*Finally, the City originally expressed concern about the equivalency matrix. The revised response does not address the City's concern, which focuses on the land use mix and not trips generated. The City recommends the extent that land uses that may be exchanged or swapped be limited to a maximum 10 – 15 percent.*

***Applicant's Response:*** *The Applicant proposes that any adjustments to the mix of land uses proposed in the Lauderhill City Center shall be subject to the following criteria:*

- (a) the adjusted land use totals must not generate traffic volumes that exceed 468 net external PM peak hour trips or 659 net external AM peak hour trips;*
- (b) the adjusted land use totals must result in no more than a ten percent (10%) change in the direction of trip distribution; and*
- (c) the adjustment must not cause the intensity or density of any particular land use (e.g., office, retail, or residential) to increase or decrease by more than 25% from the density or intensity provided in Table 10.B.2 for that particular land use.*

**COMMENTS BY THE CITY OF PLANTATION****Comment 1:**

The Lauderhill City Center significantly impacts the SR 7 corridor in Plantation between Broward Blvd and Sunrise Blvd. The City agrees with FDOT wanting the Applicant to include mitigation measures to bring back the adopted level-of-service on significantly impacted roadways. The Applicant's response is that they are not responsible to mitigate for background traffic. If the segment is significantly impacted, it means that the project traffic has an impact and should be mitigated. There is no mitigation for the impact to SR 7. Just because road widening is not an option as a mitigation measure, it does not mean that the impacted link should not be included in any mitigation measures. Please provide mitigation, in some form, for the impacted links.

**Applicant's Response:** *Please see the Applicant's responses to comments from the FDOT regarding alternative mitigation measures.*

**Comment 2:**

SR 7, in Plantation, was shown as not being impacted by the project while the segments to the north and south were impacted. FDOT also noted this. The response was that it was an error and that SR 7 between Davie Road and Sunrise Blvd was significant. The table provided does not include the SR 7 segment from Davie Blvd to Broward Blvd, only from Broward Blvd to Sunrise Blvd. With the connection to I-595, it is believed that all of SR 7 would be significantly impacted and should be shown as such.

**Applicant's Response:** *The roadway segments that were found to be significant and adversely impacted were determined to be such in accordance with the agreed upon methodology.*

**Comment 3:**

The intersection of SR 7/Sunrise Blvd. is shown as having a better LOS in the future (2033). In another Traffic Impact Study, performed by the analyst, the LOS for this intersection is worse for 2009 conditions than the Phase 1, 2 or 3 of the DRI. Why the discrepancy?

**Applicant's Response:** *The other traffic study was for the Madeira Apartments project. The only intersection turning-movement count that was examined in both studies was the count at the intersection of SR 7 and Sunrise Boulevard. Notably, the same count was used in both studies; however, because the Madeira Apartments project was undertaken in October 2007 and the Lauderhill City Center DRI was started in 2006, the traffic count was adjusted upward by 1% to reflect annual growth in the area (which is actually a bit less than 1%). As such, the count that are purportedly in*

*conflict with the count contained in the DRI analysis is actually the same count! Note also that the original count, done for the DRI, was a matter of public record at the time the Madeira Apartments project came along, as the DRI traffic analysis had already been completed and submitted for governmental review in September 2007.*

**Comment 4:**

The City agrees with FDOT regarding the existing trip generation of the Lauderhill Mall. The mall is currently underutilized and in Table 21-C-3 in the December 2008 submittal, the existing land uses are analyzed as being fully occupied and then deducted from the proposed uses. This is not a realistic analysis of the impact the proposed traffic will have on the network. Just because the trips could have been there does not mean that they are allowed to be deducted from the proposed trips. They are not there today, and have not been there for a long time, and are not impacting the network today.

***Applicant's Response:*** The Department of Community Affairs has confirmed through correspondence with the South Florida Regional Planning Council that all trips related to vested square footage should be considered as part of the background traffic for transportation impact analysis purposes.

**Comment 5:**

The distribution was not agreed to by the City of Plantation. This project is located just north of Sunrise Blvd., yet very little traffic is distributed to and from that roadway. Only 6% is shown from the west, where the connection to Florida's Turnpike is. The project is very large and would have more of a regional draw than what is shown. As shown it is only attracting/producing local trips which is not realistic for this size project.

***Applicant's Response:*** The percentage of project traffic allocated to Sunrise Blvd is 9%, not 6%. Further, the distribution was agreed-upon by all review agencies that participated in the traffic methodology meetings.

**Comment 6:**

The City is in agreement with the MPO's concerns regarding turning movement counts. As seen in another study prepared by the analyst, there are inconsistencies with the data provided. The discrepancies are too large and if an event was taking place during the count, it would have been noted as a field observation.

***Applicant's Response:*** Please see the Applicant's response to similar comments from the Broward MPO contained on pages 12-13 of this Response to SIN2.

**Comment 7:**

The City is in agreement with FDOT on Synchro's handling of RTOR's. They are over inflated and do not represent actual field conditions. They are also severely limited from a shared thru-right turn lane. Please provide field collected data or revise the RTOR assumptions.

**Applicant's Response:** Please see the Applicant's response to similar comment from FDOT that is contained in the Applicant's Response to SIN1, which was submitted on December 22, 2008.

**Comment 8:**

For Phase 3 of the project, SR 7 is still impacted and the intersections at the ends of those links also fail. The intersections for the SR 7 links south of Broward are not even analyzed and there is no mitigation for this impact.

**Applicant's Response:** The intersection analysis was performed in accordance with the agreed upon methodology. For mitigation measures, please see the Applicant's response to similar comments from FDOT contained on page 26-27 of this Response to SIN2.

**Comment 9:**

The December 2008 documentation states that in Phase 3 (year 2033), 336,905 square feet of retail will be demolished. The FDOT had a comment questioning the retail component of the project and requesting cumulative intensities. The response states that in Phase 3 only 278,469 square feet of retail will be demolished. The way the trip generation tables are shown, the existing retail, before demolition, will be occupied in the future phases. It is not occupied now, so will it be refurbished for future occupation before being demolished? The reductions for existing uses are not being reduced in the future phases as they are being demolished. The comments from other agencies regarding the trip generation and the respective cumulative intensities should be reviewed again and agreed upon by all.

**Applicant's Response:** The Department of Community Affairs has confirmed through correspondence with the South Florida Regional Planning Council that all trips related to vested square footage should be considered as part of the background traffic for transportation impact analysis purposes.

**COMMENTS BY FLORIDA DEPARTMENT OF TRANSPORTATION****General Comments.**

**Comment (1):** The Department agrees that the applicant is only responsible for mitigating roadway improvements required as a result of the addition of project trips to the surrounding roadway network, and not to the adopted LOS. However, alternative-mode proposals should be considered as the project traffic will further impact the already congested/backlogged roads. The applicant should provide a list of roadway improvements similar to those proposed at the intersections in Tale 21-F-9. These lists of improvements will become helpful for proportionate share calculations, which should be included in the next submittal. It is unlikely that only intersection improvements are needed for a development generating almost 1,500 p.m. peak-hour trips.

***Applicant's Response:*** *The Applicant respectfully submits that, as a matter of law, a development of regional impact may not be treated differently than projects that are not developments of regional impact. In Broward County, the County's transit oriented concurrency assessment fee establishes the required level of service and the appropriate mitigation fee. Indeed, Broward County's approach to transportation concurrency is at the center of the recently enacted Senate Bill 360 (Community Renewal Act) and we believe it is controlling.*

*Alternatively, however, the Applicant could consider the following mitigation approach:*

*(a) Determine the number of peak hour trips that are attributed to the Lauderhill City Center DRI in the most significantly and adversely impacted link (the peak hour trip volume for transit purposes).*

*Where significant and adverse links are serial (one connected to another), the link with the greatest trip volume will control the amount of mitigation performed because the same transit serves all of the significant and adverse links. According to the McMahon traffic analysis, the link with the greatest trip volume is the link on State Road 7 between Sunrise and NW 12 Street (shown in bold outline on the map and in the Link Trip Data).*

*(b) Determine an adjusted capital cost for increasing capacity of transit stock and multiply that cost by the number of peak hour trips identified in Step 1.*

*The number of peak hour trips for the most significantly and adversely impacted link is multiplied by an adjusted cost per seat for a transit facility. The seat cost is adjusted because transit capacity is not geographically limited and rolling stock is allocated differently at different times and locations. The Applicant should only be required to pay a pro rata share of the costs of the additional transit capacity. Based on a literature search, we believe that the appropriate adjustment would be 30% [i.e.,  $0.30(\text{cost of bus seat}) = \text{adjusted cost per seat}$ ].*

*(c) Subtract out applicable credits.*

*Mitigation fees should be subject to a credit for any and all on-site improvements which increase transit system capacity.*

Accordingly, a proposed mitigation formula would be as follows:

$[(PEAK\ HOUR\ TRIPS\ transit) \times (ADJ.\ CAPITAL\ COST\ OF\ ROLLING\ STOCK)] - CREDITS = MITIGATION\ FEE$

### **Trip Generation**

**Comment (6):** The approach of assuming the existing site is fully occupied overestimates the total background, and in turn impacts the proportionate share calculation to the applicant's advantage. If the applicant cannot provide any documentation from either DCA or the local government to prove the vested trips/land use, the existing site generated trips should be used and all analysis should be revised accordingly.

**Applicant's Response:** Please see the Binding Letter of Interpretation of Vested Rights, attached as Exhibit F and the correspondence from the Department of Community Affairs, attached as Exhibit G confirming that all trips associated with the vested square footage should be included as part of the background traffic.

**Comment (8):** See Comment (6)

**Applicant's Response:** Please see Applicant's response to FDOT Comment (6).

**Comment (9):** As previously stated, the Department requests that the minimum/maximum development intensity threshold be limited to a maximum of 10% change in project trip directionality. The fluctuation in trip distributions, especially under Scenario VI through IX (as confirmed by the application), will require additional traffic analysis; as this will be [sic] cause a substantial deviation per Florida Statutes 380.06(19). Please revise or remove those scenarios that are not within the acceptable 10% threshold.

**Applicant's Response:** The Applicant would agree that any adjustments in the mix of land uses built in the Lauderhill City Center shall be subject to a condition of approval that no adjustment shall result in a 10% or greater change in project trip directionality.

### **Trip Distribution**

**Comment (12):** By improving the intersections at the two ends of a significant and impacted link, the link will not necessarily be fully mitigated. See Comment (1).

**Applicant's Response:** See Applicant's response to FDOT Comment (1)

### **Mitigation**

**Comment (13):** See Comment (1)

**Applicant's Response:** See Applicant's response to FDOT Comment (1)

**Multi-Modal**

**Comment (14):** The applicant's response is not sufficient. A parking strategy should be included in the ADA to justify trip reduction credits included in the traffic analysis. This should include, in part, a parking ratio that confirms to industry guidelines for Transit Oriented Development for the area type in Lauderhill on S.R. 7. Other components should address the location of parking in terms of accessibility within the site and how it relates to pedestrian access to adjacent land use. Further parking reductions based on shared parking opportunities, fee-based parking versus free parking, preferred locations and sheltered locations for carpools and vanpools, etc. This strategy will influence the trip reduction characteristics of the development.

**Applicant's Response:** *As explained in more detail in the document entitled "Multi-Modal, Trip Reduction Justification," submitted by McMahan Associates to the South Florida Regional Planning Council on May 30, 2007, the trip reduction credits included in the traffic analysis were not based on any parking strategies, but rather, on several proposed transit-amenity improvements that are anticipated to be included in the development of the Lauderhill City Center, including the provision of unique/attractive transit shelters (resulting in an estimated 2% increase in transit usage), illumination of transit facilities (2%), passenger amenities (3%), passenger services (3% increase), high-frequency service (4%), off-vehicle fare collection (3%), and level boarding (5%). Notably, these anticipated improvements would result in a cumulative 22% increase in transit usage, but the Applicant and review agencies agreed that 15% reduction/credit would be used in the traffic analysis. Nevertheless, the Applicant fully understands the relationship between an abundant supply of free parking and the proliferation of single occupancy vehicle use (thereby discouraging transit usage). The Developer will, therefore, encourage transit use, carpooling, vanpooling and bicycling by:*

- a) providing rideshare and transit information to tenants and employees and by designating employee parking spaces, conveniently located, for exclusively high occupancy vehicle use where appropriate;*
- b) developing a Travel Demand Management Plan (TDM Plan) for the Lauderhill City Center DRI that promotes car and van-pool programs, maintains a ridesharing database, promotes transit use, and promotes preferential parking for onsite employees who volunteer for these trip reduction initiatives;*
- c) designating an on-site Employee Transit Coordinator who shall coordinate the implementation of the TDMP and provide annual reports to the FDOT and the City of Lauderhill;*
- d) participating and supporting the implementation of re-routing existing or future transit lines into the site from Broward County, the City of Lauderhill and the City of Plantation;*
- e) incorporating transit-oriented design principles into the design of the site, such that the bus transfer facilities can have quality connectivity (convenience and comfort) to the primary portions of the development;*
- f) providing parking spaces in amounts that shall not exceed that which is required by the City of Lauderhill Land Development Code; and*

- g) performing a shared parking study to identify any reductions in parking that can be achieved by combining the parking supply for residential, office and retail uses.*

*Moreover, the City of Lauderhill is currently in the process of implementing smart code principles into its land development regulations, including reduced parking requirements for mixed-use developments and the Applicant will continue to work with the City throughout the site plan approval process to provide an optimal amount of off-street parking. For that amount of parking that is ultimately included in the Lauderhill City Center, all of it will be located in parking structures that are integrated into the mixed-use or residential buildings (as the case may be) of each pod for easy access to the pedestrian facilities and land uses.*

*Finally, the Applicant recognizes the importance of transit use to the development and future success of the proposed Lauderhill City Center. It is only in the Applicant's best interest for there to be a high level of transit ridership and interaction with the proposed land uses. Therefore, the Applicant has proposed a condition of approval which states that the development of Phase 3 shall not occur unless the following transit-related criteria have been satisfied:*

- a) PM or AM peak hour modal split of twenty percent (20%) transit; and  
b) internal capture rate of thirty percent (30%) of average daily vehicle trips.*

**Comment (16):** The response is not sufficient. Regardless of the extent to which mitigation is required by the applicant, the ADA should address how the development will be phased to the provision of facilities and services needed to ensure mobility and that travel choice options are available concurrent with the DRI's impacts. The response indicates that this is an ongoing coordination item with review agencies. It is the Department's position that most of the substantive coordination with review agencies and service providers should occur prior to ADA submittal and that the applicant is obligated during the ADA review to respond fully to address DRI questions pertinent to determining ADA sufficiency, such as Question 21(i).

**Applicant's Response:** *The site of the proposed Lauderhill City Center currently features an eight (8) bay bus transfer facility that serves five (5) Broward County Transit routes and three (3) community bus routes between the City of Lauderhill, City of Plantation, and City of Lauderdale Lakes. These facilities and services are currently in place and will not be suspended during the redevelopment plan. The Applicant will relocate the bus transfer facility as part of Phase 1. The Applicant currently proposes that the facility will be located in the middle of the development with the express stop along SR 7/US 441 and the local stop along the easternmost internal street running parallel with SR 7/US 441 (see Map H). It is possible, however, that the City of Lauderhill will receive grant funding and if that occurs, then a larger bus facility may be located elsewhere on site, such as at the intersection of SR7/US 441 and NW 12th Street. In any event, the relocation will be complete by the end of Phase 1 (2018).*

*As confirmed during meetings with all the review agencies, the Applicant will continue to work with the City of Lauderhill and Broward County Transit as the plan of development is implemented and County's transit system, including the proposed pilot rapid bus system along SR 7/US 441, evolves.*

**Comment (17):** Please respond to this comment as this information is vital in assessing the relationship between trip reduction credits and the Transit Oriented Development characteristics of the development.

***Applicant's Response:*** Please see revised Map H, attached hereto as Exhibit A, and the Applicant's responses to FDOT Comments 14 and 16, above.