

Cypress Creek Mobility Hub Master Plan

Technical Memorandum #1 – Existing Conditions



August 2015

HNTB

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1.0 Executive Summary

The overall purpose of this study is to identify infrastructure improvements, site plan concepts and joint development strategies that can be implemented in and around the Cypress Creek Tri-Rail Station. These improvements, concepts and strategies will provide the groundwork and incentives necessary to achieve the overall goal of concentrating growth and development, improving bicycle and pedestrian connectivity, and to support a transit oriented environment around the station area; all of which form the basis for the Broward Metropolitan Organization's (MPO) vision for future mobility hubs in the County. Various development opportunities and infrastructure improvements within the mobility hub area will be identified as part of this process and framed as short-term, medium-term and long-term improvements.

Area wide issues

Numerous local and regional studies, plans, and initiatives were reviewed as a part of this study to identify and document previously established goals and visions for the area. All of these plans reflect a consensus that higher density development with improved connections to and within our study area are a high priority, due to the proximity to the Cypress Creek Tri-Rail Station. These plans highlight the need to better coordinate future land use plans with premium transit corridors/hubs to create pedestrian, bicycle, and transit-friendly environments.

Currently, a major issue for the study area is balancing the need to provide improved transit connections and pedestrian connectivity with improved vehicular movements. An example of the need for balance is evidenced by the desire for safer pedestrian and bicycle connectivity with access to I-95, the subject of a future FDOT PD&E Study. The PD&E will have a major impact on the future mobility and accessibility of this study area. The streetscape improvement concepts that will be developed as a part of this study maximize the accessibility of the area for non-motorized transportation users. Future coordination with FDOT's PD&E study is recommended.

The existing development pattern in the study area is dominated by auto-oriented land uses. Buildings are set back far from the street, creating an environment that is not comfortable or pleasant for pedestrians. Besides the wide typical roadway sections, traffic congestion and volumes near the Andrews Avenue and Cypress Creek Road is particularly challenging for safe pedestrian crossing opportunities.

Existing traffic volumes for the area were reviewed. For each roadway studied, Table 1 illustrates the current and projected Average Annual Daily Traffic (AADT) provided by FDOT and the regional 2035 Southeast Regional Planning Model (SERPM), as well as the Level of Service (LOS). These AADTs are average daily numbers and do not represent peak conditions. Andrews Avenue carries the least amount of traffic of the three roadways. Cypress Creek Road and Powerline Road have similar AADTs, ranging

from 33,000 to 44,000. All three of these roadways currently have a daily LOS of ‘C’ according to FDOT’s generalized LOS tables.

Table 1: Existing and Projected AADT and LOS

Road	Extent	2013 AADT	2013 LOS*	2035 AADT	2035 LOS*
Andrews Avenue	south of Cypress Creek Rd	26,000	C	41,879	C
	north of Cypress Creek Rd	17,500	C	44,207	C
Southbound I-95 On Ramp	south of Andrews Ave	14,500		18,321	
Powerline Rd	south of Cypress Creek Rd	33,000	C	62,177	D
	north of Cypress Creek Rd	37,500	C	42,854	C
Cypress Creek Rd	west of Powerline Rd	36,500	C	62,000	D
	between Powerline Rd and Andrews Ave	44,000	C	60,922	C
	east of I-95	38,000	C	35,259	C

*according to FDOT’s Generalized LOS Tables

The study area is currently served by three BCT routes (Routes 14, 60, and 62), three Tri-Rail shuttles, two Uptown Link shuttles, and the Tri-Rail commuter train. BCT Routes 60 and 62 currently stop at the FDOT park and ride (located at the southeast corner of Andrews Ave and Cypress Creek Rd) while Route 14’s northbound trip currently serves the Tri-Rail station directly via NW 59th Ct. Local physical improvements and service planning changes are expected to change the alignment for these routes to better serve and connect to the Tri-Rail Cypress Creek Station.

SFRTA site issues

There is no existing water or sewer infrastructure connecting to the SFRTA-owned site. The larger study area as a whole is served by three different providers depending on the exact location – Broward County, the City of Fort Lauderdale, and the City of Oakland Park. Table 2 below details the utility provider, for both the SFRTA-owned parcel or FDOT-owned parcel.

Table 2: Water and Sewer Providers

Utility	SFRTA-owned	FDOT-owned	Study Area
Water Provider	City of Fort Lauderdale	City of Oakland Park	varies
Sewer Provider	City of Fort Lauderdale	City of Oakland Park	varies

* study area services are provided by Oakland Park, Fort Lauderdale, or Broward County

The SFRTA-owned site currently serves as a park and ride lot for Tri-Rail commuters. Site constraints include a stormwater retention area that must be considered with any future proposed developments. The only structure that can be built over the retention area is structured parking, as long as it is on beams or stilts over the retention area. Otherwise, the retention area must be reconstructed elsewhere on the site if any future development is built over top. Another major constraint on the allowable site is a height restriction due to the close proximity of the site to Ft. Lauderdale Executive Airport. Building heights range from 94’ on the west to 110’ to the east of the SFRTA-owned site (See Figure 20).

The SFRTA-owned site is currently zoned industrial according to City of Fort Lauderdale and has an industrial designation on the Broward County Future Land Use Plan and the City of Fort Lauderdale Comprehensive Plan. The industrial land use designation permits land uses such as transportation facilities, community facilities, and ancillary commercial uses. Non-industrial uses such as retail, commercial, hotel and other lodging are only allowed through the use of flexibility units within the County’s Land Use Plan flexibility zone for the area, as long as they do not exceed more than 20% of the total zone for the area. SFRTA and/or a future developer could pursue a rezoning of this site using the flex allocation. Potentially rezoning the property to a B-3 (business) zone, office, retail, and hotel would then be permitted. A rezoning application and a Site Plan Level III are required for the rezoning. Residential uses are not permitted within industrial zones, regardless of using flex. The rezoning option would require approximately six months, which is much shorter than a Land Use Plan Amendment (LUPA), which can take upwards of two years to complete. There are efforts to complete a study-area wide land use plan amendment and introduction of a form based code for the area. Envision Uptown (group of local businesses) has supported this effort.

Table 3: Permitted Uses

Zoning and Land	Uses within Industrial Area***			
	Residential	Hotel	Office	Retail
Zoning: Permitted by Right	NO	NO	NO	NO
Zoning: Permitted with Flex Unit Application	NO	YES	YES	YES
Land Use: Permitted by Right	NO	NO	YES	NO

Parking is a key element of any development plan. According to the City of Fort Lauderdale’s ULDC, parking requirements are based on the type of land use being served. The Development Review Committee may authorize a shared parking request pending a shared parking study is developed clearly identifying the proximity and temporal parking demand for each use proposed for the site. Several concepts were identified for the site with reduced parking.

Implementation Strategies

A review of the potential funding sources for any of the proposed improvements was completed, which included federal, state, and local sources. Some federal sources included TIGER grants, Joint Development Grants from the FTA, affordable housing grants (CBDG) from the USHUD, and FHWA funding for Transportation Alternative Programs. State funding could potentially come from the County Incentive Grant Program, or the Transportation Regional Incentive Program. The primary example of local funding sources is mobility hub funding from the MPO. Potential special assessment districts could be initiated for the study area. All of these sources will be considered throughout the planning and implementation process.

Meetings and interviews were conducted with agency partners and area stakeholders to determine other potential funding sources, identify existing challenges and opportunities, and discuss development strategies for the SFRTA site. These individuals, organizations, and agencies are ultimately responsible for implementation. The public and private organizations and agencies that were represented in the interviews included SFRTA, Broward MPO, City of Fort Lauderdale, City of Oakland Park, Broward County Planning and Traffic Engineering, Broward County Transit, FDOT, Citrix, Envision Uptown, and others. A detailed schedule of meeting dates, representatives, and a general summary can be found in the Appendix.

Section 7.0 summarizes the key issues, challenges, and opportunities that must be considered for any future development of the SFRTA-owned site.

The next step of this study will include developing streetscape and site development concepts that address the identified issues and challenges while improving the accessibility and mobility for all users.

2.0 Introduction

The overall purpose of this study is to identify infrastructure improvements, site plan concepts and joint development strategies that can be implemented in and around the Cypress Creek Tri-Rail Station. These improvements, concepts and strategies will provide the groundwork and incentives necessary to achieve the overall goal of concentrating growth and development, improving bicycle and pedestrian connectivity, and to support a transit oriented environment around the station area.

The Cypress Creek Station and the surrounding area have been identified by the MPO as a Mobility Hub. This hub concept is a forward-thinking strategy that is nationally recognized by *Transportation for America* as a growth model for MPO's to follow. The Mobility Hub concept also addresses climate change by advocating for a more climate-resilient community, whereby focused, transit-oriented development can help to reduce energy consumption. An emphasis is placed on connectivity within mobility hubs to facilitate interaction between land uses.

Further supporting the push for more climate resiliency is the City of Fort Lauderdale's Sustainable Action Plan, which focuses on eight areas, one of them being the built and natural environment. The plan emphasizes the need for responsible development and land use reinforced with proper designing and siting of new development / redevelopment while considering the impacts of climate change and sea level rise. The Cypress Creek area, because it is further from the coast, has higher elevations than a majority of the City of Fort Lauderdale. This reason alone makes the Cypress Creek area a more responsible place for (re)development in the future, which is a point made by the recently completed Urban Land Institute's (ULI) Technical Assistance Panel (TAP) report.

The MPO's 2035 Long Range Transportation Plan (LRTP) specifically defines Mobility Hubs as transit access points with frequent transit service, high development potential, and a critical point for trip generation or transfers within the transit system. The Cypress Creek Mobility Hub area is the second largest commercial and employment hub in Broward County, further emphasizing the need for improved and seamless connectivity between the various modes of transportation and local land uses. The Cypress Creek Tri-Rail Station is served by three Tri-Rail shuttles, two Uptown Link shuttles, three Broward County Transit (BCT) bus routes, an interchange with I-95, and is adjacent to the Fort Lauderdale Executive Airport. The station ranks in the top five out of all the Tri-Rail stations based on the average daily boardings, as well as ranking in the top three for bicyclists accessing Tri-Rail stations.

Various development opportunities and infrastructure improvements within the mobility hub area will be identified as part of this process. New developments and investments in the local infrastructure, whether funded privately or publicly, should be mutually supportive. A major focus of the infrastructure improvements will be to support accessibility and mobility throughout the study area consistent with the Broward County Complete Street Guidelines and the City of Fort Lauderdale's Complete Streets Manual. Realistic strategies will be developed that improve access and circulation to the Cypress Creek

Tri-Rail Station for all transportation modes. Key to the accessibility and circulation issues is the identification of public parking needs that are transit supportive while meeting future demand.

Recommendations from this planning process will be framed as short-term, medium-term and long-term based on various funding and public sector controlled strategies. Short-term development strategies will focus on the types of public investments that can feasibly support the SFRTA-owned station property. Medium-term development strategies will likely focus on the adjacent areas around the SFRTA-owned station that support mobility and spur private investment and redevelopment. The long-term vision for the study area will focus on creating a more vibrant, transit-supportive development pattern that accommodates the needs of all modes of travel within the broader area.

The study area consists of the Cypress Creek Tri-Rail station, the SFRTA-owned parking lot, and the area within a half-mile radius from the Tri-Rail Station. Within this immediate area there is a Florida Department of Transportation (DOT) owned park and ride lot (which is on the south side of Cypress Creek Road between Andrews Avenue and I-95) that serves BCT routes, and industrial uses, residential uses, hotel, and office/retail. The broader study area within a mile of the Tri-Rail Station includes the Fort Lauderdale Executive Airport and other local commercial and residential developments. Figure 1 illustrates the study area for this Mobility Hub Concept Master Plan.

Figure 1 – SFRTA Site and Surroundings



The South Florida Regional Transportation Authority (SFRTA), the Broward MPO, FDOT, Broward County, BCT, the City of Fort Lauderdale, and the City of Oakland Park have partnered in this effort to foster and integrate connectivity near the Cypress Creek Tri-Rail Station. In this existing conditions memorandum, a summary of key physical conditions and policies, as well as existing base information, are identified that will inform the development of these short, mid and long term accessibility and development recommendations.

3.0 Planning Context

This section addresses relevant plans, existing and future land use patterns, various transportation modes and their respective measures of mobility, existing physical infrastructure, existing zoning, and other regulations. It is important to detail existing physical conditions so that they can be compared to the goals and values established in previous planning studies. This comparison then forms the foundation for the recommended improvements by justifying the need based on the goals established.

3.1 Relevant Plans and Policies

The following studies, plans, and initiatives were reviewed as a part of this study to identify and document previously established goals and vision for the area:

Seven50 SE Florida Prosperity Plan¹

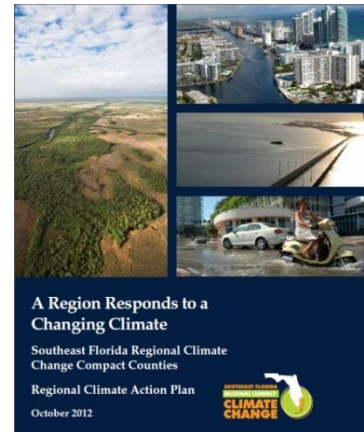
This plan establishes regional goals to address climate change and economic prosperity. Some of the main pillars that formed the basis of the report included growing the economy, creating livable places, improving community vibrancy, valuing the environment, improving energy resilience all while being supported by local and regional leaders that are involved and committed. The plan specifically mentions the Cypress Creek Tri-Rail station area as a place where transit-oriented development can flourish. Renderings of what the study area could look like when built out were developed and included buildings lining the street leading to the station, with friendly and inviting sidewalks and greenways. It mentions the existing SFRTA park and ride lot and its development potential if parking could be consolidated into a parking structure, allowing for new development to form structured blocks and streets forming a better connected network for walking and biking to the Tri-Rail station.



¹ <http://seven50.org>

*Southeast Florida Regional Climate Action Plan (2012)*²

This plan developed 110 action items to be accomplished over the next five years with the overall objective to integrate climate adaptation and mitigation into the existing decision-making processes of local and regional agencies. The report focused on development’s impact on carbon emissions and how sea level rise projections impacted future development potential, especially within “adaption action areas”, or areas usually closer to the coast and likely more susceptible to water inundation and damage from major storms.



The plan organized these action items into seven categories, with the sustainable communities / transportation planning category being most relevant to the Cypress Creek Area. The plan mentioned the importance of strategically planning and encouraging (re)development “growth areas” with higher elevations that have existing infrastructure, such as transportation and water and sewer services. These growth areas would be designated outside of adaption action areas. These growth areas should also be developed with Urban Design guidelines that address character of urban place and provide a high quality pedestrian experience through landscaping and the creation of public space.

*Tri-Rail Transit Development Plan (2013)*³

Tri-Rail’s TDP details the existing service provided including park and ride lot utilization rates and existing Tri-Rail shuttle bus ridership for each station. The TDP established a series of goals that ultimately could help to attract more riders. One of these goals is to work with other public agencies and the private sector to identify ways to facilitate economic growth, particularly as it relates to transit investments. These investments should focus on enhancing the passenger amenities at and around stations, including improved pedestrian and bicycle facilities. Improved connections also apply to existing bus routes. Coordinated schedules with other transit providers simplify the transfers between systems, thus making it easier for more potential riders to use Tri-Rail. Improving the appearance and visibility of Tri-Rail stations with improved wayfinding signage would help to encourage more ridership.



²<http://www.southeastfloridaclimatecompact.org/wp-content/uploads/2014/09/regional-climate-action-plan-final-ada-compliant.pdf>

³ http://www.sfrta.fl.gov/docs/planning/TDP/TDP_Annual%20Update_FY_2013.pdf

The TDP mentioned a new partnership with the City of Fort Lauderdale for operation of the midday Cypress Creek service, currently known as the “Uptown Link” shuttles. Also mentioned is the proposed Tri-Rail Coastal Link, which is a new SFRTA service along the existing FEC railway that is coordinated with the existing Tri-Rail system and the proposed All Aboard Florida inter-city passenger rail service. There is a proposed connector between the existing Tri-Rail system and the Coastal Link at the Pompano Beach station, just north of the Cypress Creek study area. The proposed Coastal Link service with a connection to the existing Tri-Rail service just north of the study area would likely contribute to increases in future ridership throughout the system, including the Cypress Creek station – considering that employees from a wider area would be able to access the study area via public transit.

Although not included in their TDP, SFRTA has a four-track master plan which would impact the right of way near the Tri-Rail track and any adjacent recommended improvements, which would include an enhanced pedestrian connection from the Tri-Rail platform to Cypress Creek Rd.

*BCT Transit Development Plan (2014)*⁴

THE BCT TDP outlines BCT’s transit service and transit capital development project implementation program for the next ten years. The planned improvements scheduled for implementation within the next five years are also included in the Broward County TIP because funding has already been secured and programmed. Among the facility enhancements throughout the County are bus shelter replacements, bus stop pedestrian improvements, and real-time information displays. The BCT TDP mentions specific enhancements for the study area including the realignment of Routes 14, 60, and 62 based on planned access improvements around the Cypress Creek Tri-Rail Station. These route changes directly impact this study and will likely be influenced by the ultimate study recommendations. The TDP indicates these route realignments will occur in 2015, but are likely to be delayed or perhaps not implemented based on the improvements near both the Cypress Creek Tri-Rail Station and the I-95 interchange at Cypress Creek Rd.



⁴ <http://www.broward.org/BCT/Reports/Pages/TransitDevelopmentPlan.aspx>

Broward MPO 2035 and 2040 Long Range Transportation Plans⁵

These LRTPs provide guidance for a transportation network that supports future growth and development throughout the County. The 2035 LRTP created and defined the ‘mobility hub’ concept, which is defined as a transit access point with frequent transit service, high development potential, and a critical point for trip generation or transfers within the transit system. Three types of hubs were established based on a variety of land use and transit criteria. The Cypress Creek Tri-Rail Station area was identified as a ‘Gateway Hub’, which is the largest in the typology established. One of the main elements of the gateway hub concept is the potential to provide gathering places for people to access transit and other amenities.

The 2040 LRTP update reinforces a regional focus on pedestrian and bicycle connections, secure and comfortable places to wait for transit, and safe and easy transfers between available service routes. Investments in public spaces are intended to provide a more solid framework for private investment in order to achieve place-making goals of increasing transit accessibility to places people live, work and play. The 2040 LRTP updated the 2035 LRTP’s definition and screening process for mobility hubs and established a future process that will reexamine hub locations to leverage investments that maximize economic return and transit potential.



Broward Transportation Improvement Program (2014)⁶

The TIP is comprised of Broward County’s funded projects within the next five years. The TIP constitutes the first five years of the LRTP, and includes projects for all the public agencies that relate to transportation such as FDOT, BCT, Public Works, Port Everglades, and the Turnpike. The funds currently programmed that directly impact the study area are for TOD planning efforts, replacing four existing transit shelters with two new ones at the FDOT park and ride lot, and a railroad safety improvement at the railroad crossing at Cypress Creek just west of Andrews Avenue. FDOT is planning on starting a Project Development and Environment (PD&E) Study sometime in 2015 for the I-95 interchange at Cypress Creek Road and Andrews Avenue, which will have implications on this study.

⁵ <http://www.browardmpo.org/commitment-2040>

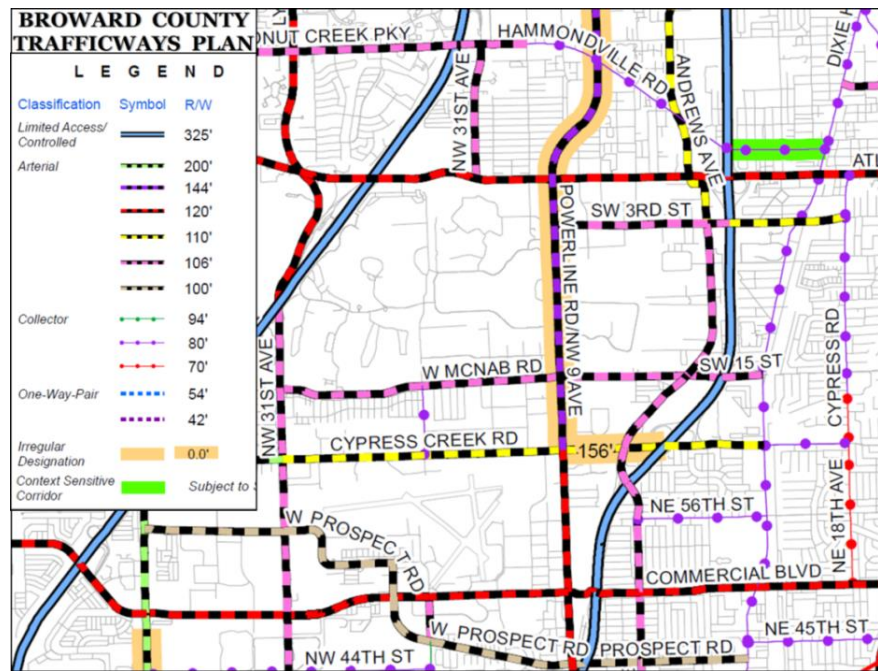
⁶ <http://www.browardmpo.org/programs/transportation-improvement-program>

Broward County Comprehensive Plan⁷

This plan provides guidance for the future growth of the unincorporated portions of Broward County. The transportation element of Broward County’s Comprehensive Plan focuses on establishing and supporting a multimodal transportation system that provides safe, convenient and comfortable travel and access for users of all ages and abilities regardless of their mode of transportation. The goals of the Comprehensive Plan include reducing greenhouse gas emissions, balancing the transportation system with appropriate land uses, addressing the transportation needs of present and future populations, supporting economic vitality, and promoting regional transportation coordination with other adopted plans. The land use element of this Comprehensive Plan aims to protect, improve, conserve, and sustain the natural and manmade environments by discouraging urban sprawl, promoting the reduction of greenhouse gases with efficient energy usage, all while ensuring a cost-effective provision of public facilities. This means that before a permit is issued, the availability of facilities and services must be concurrent with the impacts of the new development. Another objective of the land use element is to provide innovative land development regulations which encourage planned unit and mixed-use developments. As of June 2014, the Complete Streets policies have been adopted into the plan.

Broward County Trafficways Plan⁸

The Broward County Trafficways Plan was last updated April 2015. This plan describes the classification and right of way for the major arterials and collector streets in Broward County. The plan categorizes Cypress Creek Rd as an arterial with 110’ of right of way, while the portion between Powerline Rd and I-95 (the segment within the study area) has an irregular right of way width of 156’. Andrews Ave is considered an arterial with 106’ of right of way.



⁷ <http://www.broward.org/PLANNINGANDREDEVELOPMENT/COMPREHENSIVEPLANNING/Pages/CompPlan.aspx>

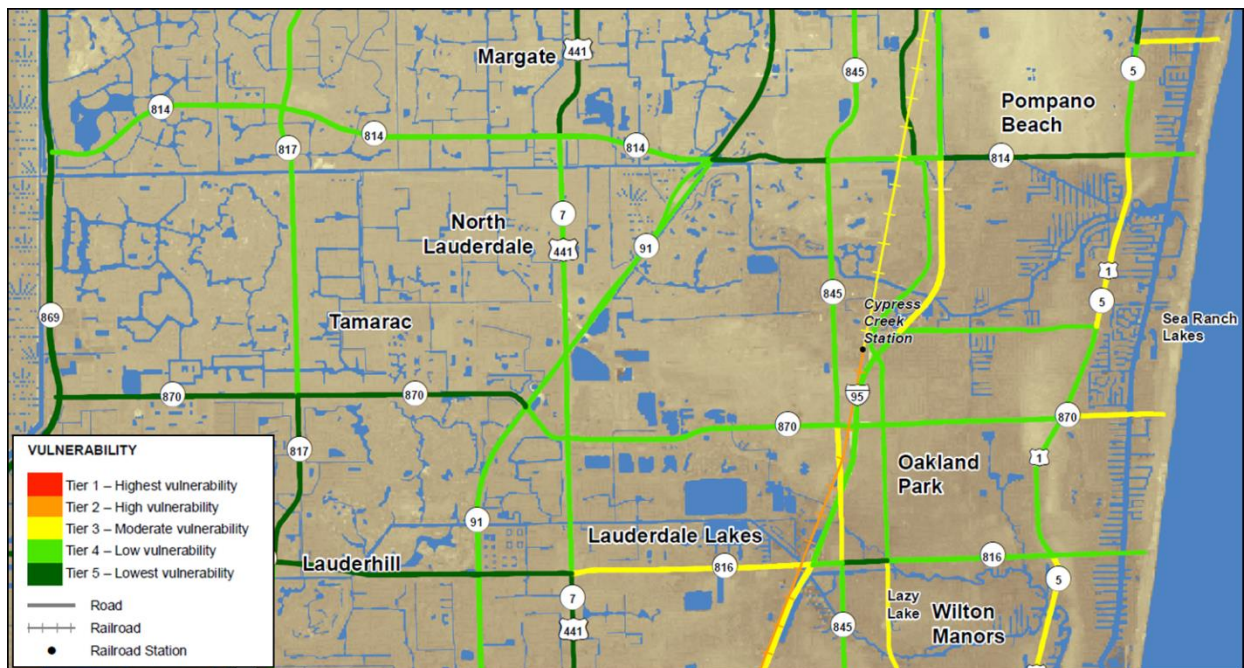
⁸ <http://gis.broward.org/maps/webPDFs/Pcouncil/trafficways24by24.pdf>

Should any recommendations from this study result in complete streets improvements that repurpose lanes and change the ultimate right-of-way width desired for these roadways, an update to the Trafficways Plan may be required.

Broward County FHWA Climate Change Pilot Project⁹

An FHWA pilot project for the South Florida region was completed by the MPO in 2014 that assessed the climate change vulnerability of South Florida’s major roadways and other assets of interest such as the Tri-Rail network. The overall vulnerability approach identified starts by identifying assets of interest. Once identified, each asset’s vulnerability is scored based on its sensitivity, exposure, and any adaptive capacities. From this assessment, the assets are ranked based on their respective levels of flood vulnerability.

According to the Final Report, nearly 900 miles of roadway, 6 ports, and 28 airports are at risk of permanent inundation to 3 feet of sea level rise in Florida, which is considered a mid-range estimate for sea level change by 2100. These estimates do not consider the possibility of additional roads and other infrastructure, despite not being inundated, that could have their sub-bases saturate causing maintenance challenges. The asset vulnerability map completed as a part of this project is depicted in the figure below which shows the local roads around the Cypress Creek Tri-Rail Station have a low vulnerability for inundation. The portion of the Tri-Rail tracks south of the Cypress Creek Station has a moderate level of vulnerability, which is the highest vulnerability level within the study area.

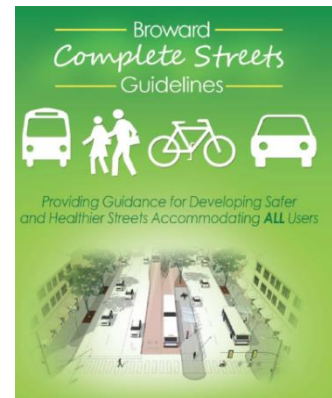


⁹ [http://www.browardmpo.org/userfiles/files/climate%20change%20Final%20report\(1\).pdf](http://www.browardmpo.org/userfiles/files/climate%20change%20Final%20report(1).pdf)

This information will be critical for sustainable decision-making as it relates to future transportation and land use planning. This vulnerability assessment allows areas to be aware of the threat of sea level rise poses and assists to develop adaption strategies and/or mitigation plans that can be implemented.

Broward Complete Streets Guidelines¹⁰

These guidelines document the tools and strategies that can be employed to better accommodate all types of road users. As they directly relate to this study, the Complete Streets Guidelines describe how transit stops and adjacent areas can be designed to provide better access and mobility for non-motorized forms of transportation. These guidelines describe the essential principles of designing streets that encourage transit ridership and promotes (re)development by providing high-quality, attractive, and comfortable facilities and infrastructure for users.



There is a Broward County Complete Streets Team, which is responsible for reviewing and approving streetscape improvements for County roadways. This team will review the recommended streetscape improvements that are developed as a part of this study.

FDOT I-95 Interchange Master Plan¹¹

The primary purpose of the I-95 Interchange Master Plan is to identify any short- or long-term needs for the I-95 interchanges in Broward and Palm Beach Counties through the year 2040 and to develop design concepts to address any traffic spillback onto I-95, interchange operations, reduce congestion, and enhance the safety near interchanges. This plan serves as an integral part of the continuing Strategic Intermodal System (SIS) development process and will provide directions for scheduling future reports, studies, and improvement projects.

The I-95 Interchange Master Plan will include a separate Interchange Report for each County. The Broward County Interchange Master Plan is scheduled for completion in the fall of 2015. Each interchange will be documented in an individual Interchange Concept Development Report in order to expedite the incorporation of some interchange projects into FDOT’s 5-year Work Program. FDOT will be starting a PD&E study for the Cypress Creek Rd / I-95 interchange to select and obtain environmental clearance for a system interchange improvement that addresses expected congestion and safety issues.

¹⁰ <http://www.browardmpo.org/projects-studies/complete-streets>

¹¹ <http://www.i95interchangemasterplan.com/>

City of Fort Lauderdale Comprehensive Plan¹²

All city comprehensive plans in Broward County, including Fort Lauderdale, must be sufficiently compatible with the County Comprehensive Plan. The transportation element of Fort Lauderdale's Comprehensive Plan specifically mentions the Cypress Creek area as a significant parking facility because of its proximity to Tri-Rail. Cypress Creek Road currently meets the capacity level of service standards, and is projected to continue to meet these standards in the year 2030. The future land use element of the plan establishes the vision for future growth and redevelopment within the City, which identified several areas within the City in need of redevelopment in order to eliminate or reduce uses inconsistent with the City's character and vision. This element included a Community Area Planning (CAP) initiative intended to help the City Commission and Administration manage growth. This study area is considered within the 'North' CAP.

City of Oakland Park Comprehensive Plan¹³

Although the SFRTA-owned site is not within Oakland Park, it is relevant to understand the future growth plans for the adjacent areas. Part of the FDOT park and ride lot across from the Tri-Rail station is within the City of Oakland Park limits. The transportation element of Oakland Park's Comprehensive Plan specifically mentions coordinating transportation improvements as part of the city's overall redevelopment strategy, which would include improving connections to the Cypress Creek station for Oakland Park residents. Oakland Park has established policies that aim to reduce energy consumption and roadway congestion by encouraging integrated transportation systems such as improved mass transit facilities, connected bikeways, and pedestrian corridors throughout the city. The future land use element of this plan mentions several objectives designed to encourage compact, mixed-use development especially near existing and planned high performance transit services/facilities and regional transit stations, such as Tri-Rail stations, that achieve an attractive, well integrated, pedestrian and transit-friendly environment. These efforts will be coordinated with Broward County, the MPO, FDOT, and SFRTA.

¹² <http://www.fortlauderdale.gov/departments/sustainable-development/urban-design-and-planning/comprehensive-plan>

¹³ http://www.oaklandparkfl.org/news/cra/comprehensive_plan.cfm

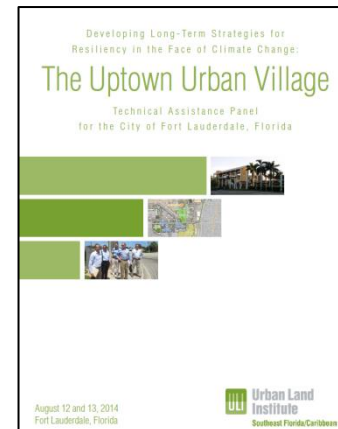
*City of Fort Lauderdale Complete Streets Manual*¹⁴

Smart Growth America recently ranked Fort Lauderdale’s Complete Streets Manual #1 in Florida and # 3 in the nation. Based on the Broward County Complete Streets Guidelines along with influences from other cities, the Fort Lauderdale Complete Streets Manual sets out to establish standards for various improvements to the existing roadways. Included in the manual is the Complete Streets Toolbox that lays out various treatments for the pedestrian, vehicular, bicycle, and transit components while explaining how and why these components need to be integrated. The design of these components depends on the particular street typology – boulevard, avenue, street, or other special street designation like beach thoroughfare.



*ULI TAP Report (2014)*¹⁵

ULI’s TAP Report for the Cypress Creek area focused on the city’s approach to planning for a more resilient community in the face of climate change. The primary strategy this report advocates is to concentrate growth in areas with higher elevations away from the coast, such as the Cypress Creek area. One of the biggest strengths in this corridor that the ULI TAP identified is the existing infrastructure – physical, economic, and social – that can help facilitate future growth. Because of the concentration of employment and some higher education institutions in the Cypress Creek corridor, the TAP report considered this area ‘well-positioned’ for future investment. Some major areas to improve upon included access to transportation, considering the range of transportation options within the corridor. The study also pointed out gaps or weaknesses, mostly concentrating on the existing development patterns and how car-oriented development has dominated the corridor. The report ultimately recommended developing a land use regulating plan that would help to establish public spaces that create a sense of place with enhanced urban design standards and infrastructure. The report also developed a ‘Multi-way Boulevard’ concept for Cypress Creek, redesigning the existing typical section to create a more pedestrian and bicycle-friendly environment.



¹⁴ <http://www.fortlauderdale.gov/home/showdocument?id=3565>

¹⁵ <http://seflorida.uli.org/technical-assistance-panel/uptown-urban-village-latest-uli-tap/>

Unified Land Development Code¹⁶

The Unified Land Development Codes of Broward County, Fort Lauderdale, and Oakland Park were reviewed to better understand the existing codes and regulations that would impact the future development of the SFRTA site. The ULDCs also lay out the development approval process with requirements, permits, procedures, and criteria that dictate how developments are approved. More detailed information regarding regulations currently applicable to the site is presented in Section 4.

FXE Master Plan (2009)

The Fort Lauderdale Executive Airport's Master Plan includes future build out of FXE-owned property that would impact the Cypress Creek corridor. A more detailed summary of this plan is provided in Section 2.2.

Summary of Existing Plan Policies

All of the existing plans reflect a consensus that more intensive development and better connections to and within our study area should be a high priority, due to the proximity to the Cypress Creek Tri-Rail Station. These plans tend to highlight the need to better coordinate future land use plans with premium transit corridors/hubs to create pedestrian, bicycle, and transit-friendly environments. Currently, a major issue for the study area is balancing the need to provide improved transit connections with improved vehicular movements, such as improving the existing ramp access to I-95. Concepts from this study process will attempt to address this balance while maximizing the accessibility of the area for non-motorized transportation users.

¹⁶ <http://fortlauderdale.eregulations.us/code/unladeco>

3.2 Land Use and Development Pattern

Existing Development Pattern

The existing pattern is dominated by auto-oriented land uses and development, which is heavily influenced by the corridor's close proximity to I-95. Buildings are set back far from the street, creating an environment that is not comfortable or pleasant for pedestrians. Besides the wide typical roadway sections, traffic congestion near the Andrews Avenue intersection along Cypress Creek Road is particularly challenging for safe pedestrian crossing opportunities. Specific information regarding the land use and zoning requirements for the SFRTA- and FDOT-owned site is included in Section 3.0.



The southbound on-ramp to I-95 from Andrews Avenue typically backs up onto Cypress Creek Road due to grade changes accessing the ramp as well as the pedestrian activated crossing from the FDOT park and ride to the Tri-Rail station across Andrews Avenue. Lack of connectivity is apparent within the study areas. Pedestrians must cross wide congested streets cautiously. Corridors along the study area, such as NW 59th Court, also experience inadequate lighting and lack of continuous sidewalks.



The SFRTA-owned parcel, outlined in yellow in Figure 2, is currently being used as a park and ride lot for BCT Route 14, Tri-Rail Shuttles, and carpoolers and vanpoolers. This site has the potential for future development given its close proximity to I-95 and Tri-Rail. SFRTA has been actively seeking to develop this site, but to date has not negotiated a mutually acceptable development agreement with any potential developers. The site is within City of Fort Lauderdale and is zoned as 'Industrial.' Any development of this site would need to be reviewed by the City of Fort Lauderdale.

The FDOT-owned parcel, outlined in blue in Figure 2, is currently being used as a park and ride lot for BCT Routes 60 and 62, as well as carpoolers and vanpoolers. There are also plans for this site to serve as a park and ride lot for a future I-95 Express Bus service once the HOT lanes are further constructed northwards. This site has the potential for future development given its close proximity to I-95 and Tri-Rail. FDOT has been actively seeking to develop this site, but to date has not negotiated a mutually acceptable development agreement with any potential developers. The western portion of this site is within City of Fort Lauderdale. The eastern half of the FDOT parcel is within the city limits of Oakland

Park, and is zoned as a 'Planned Business Center.' Any development of this site would need to be reviewed by the City of Oakland Park, but commercial or mixed uses would likely be supported.

The study area, specifically on the southern side of Cypress Creek Road, has a large amount of underutilized surface parking. Most of this parking is on private property adjacent to the SFRTA-owned park and ride lot. Based on a 2008 Parking and Circulation Study completed for Tri-Rail, the Cypress Creek surface parking lot has deficient pedestrian circulation between the station and the lot and also did not feature clear signage to indicate location for drop-offs and disabled parking. Similarly, access to the Cypress Creek Tri-Rail station from Andrews Way lacks clear signage, sufficient sidewalks, as well as bicycle facilities. Signage needs to be addressed from all sides of the station.

The study projected the 2020 parking demand for this station to be 250 spaces. There are 345 existing spaces, thus resulting in 95 excess spaces based on SFRTA's most current future parking projections. A parking occupancy study completed for Tri-Rail in 2013 documented the existing parking demands for each station's lots and found that the Cypress Creek station has typical parking occupancy levels around 51% of the 345 existing spaces (or about 176 spaces). This is the third lowest parking occupancy rate for any of Tri-Rail's park and ride lots.

3.3 Transportation Network

There are three major arterials within the study area: Powerline Road, Cypress Creek Road, and Andrews Avenue. Powerline Road is state-owned and maintained, while the other two are County facilities. Powerline Road and Andrews Avenue are six-lane arterials with dual left turns provided at major intersections, including Cypress Creek Road. The portion of Cypress Creek Road within the study area is an eight-lane arterial with dual left turns at Powerline Road and Andrews Avenue. The Tri-Rail corridor crosses Cypress Creek Road less than 300 feet west of Andrews Avenue. There is also an I-95 interchange at Cypress Creek Rd near Andrews Ave that has major impacts to the local traffic patterns.

Annual Average Daily Traffic (AADT)

Figure 2 illustrates the 2013 Average Annual Daily Traffic (AADT) provided by FDOT. These are average daily numbers and do not represent peak conditions. Andrews Avenue carries the least amount of traffic of the three roadways, with higher volumes along Andrews Avenue south of Cypress Creek Road compared to north of Cypress Creek (26,000 compared to 17,500). Cypress Creek Road and Powerline Road have similar AADTs, ranging from 33,000 to 44,000. All three of these roadways currently have a daily LOS of 'C', and will likely remain this way based on future traffic projections.

According to the generalized LOS tables provided by FDOT, a state signalized arterial with six divided lanes is at LOS 'C' with an AADT of 58,400 or less. A state signalized arterial with eight divided lanes is at LOS 'C' with an AADT of 78,800 or less. Non-state signalized roadways use a ten percent reduction in AADT to calculate service levels. Therefore, Cypress Creek Road and Andrews Avenue would need AADT volumes less than 70,920 and 52,560 respectively to achieve LOS 'C'. The existing and projected AADTs

for Andrews Avenue are well below 52,560 and would likely remain at LOS 'C' with the existing typical section. Similarly, Cypress Creek Road has existing and projected AADTs volumes that are below 70,290, and therefore are likely to maintain the LOS 'C'.

Table 4: Existing and Future Levels of Service

Road	Extent	2013 AADT	2013 LOS*	2035 AADT	2035 LOS*
Andrews Avenue	south of Cypress Creek Rd	26,000	C	41,879	C
	north of Cypress Creek Rd	17,500	C	44,207	C
Southbound I-95 On Ramp	south of Andrews Ave	14,500		18,321	
Powerline Rd	south of Cypress Creek Rd	33,000	C	62,177	D
	north of Cypress Creek Rd	37,500	C	42,854	C
Cypress Creek Rd	west of Powerline Rd	36,500	C	62,000	D
	between Powerline Rd and Andrews Ave	44,000	C	60,922	C
	east of I-95	38,000	C	35,259	C

*according to FDOT's Generalized LOS Tables

Future AADTs were compiled from the 2035 Southeast Regional Planning Model (SERPM). Most of the roadways in the study area are projected to experience significant growth by 2035, such as segments along Powerline Road and Andrews Avenue south of Cypress Creek Road.

Figure 2 – 2013 and 2035 AADTs



Source: FDOT Florida Traffic Online (2013) and SERPM 6.5 (2035)

Currently the southbound I-95 on-ramp from Andrews Avenue causes congestion along Andrews Avenue and Cypress Creek Road, which extends regularly to Powerline Road and sometimes further. The FDOT feasibility study is seeking to minimize the queuing problems on Cypress Creek with different design options and configurations of the existing southbound on-ramp and the intersection of Cypress Creek Road and Andrews Avenue. There is another existing southbound on-ramp at the FDOT-owned park and ride lot. One potential solution considered as part of the Mobility Hub Master Plan study is closing the southbound on-ramp at Andrews Avenue and upgrading the secondary ramp from the park and ride lot as the primary access to I-95. The FDOT feasibility study did a preliminary analysis of this option; results of which were presented to the study steering committee.

Existing Transit Service Characteristics

Transit service within the study area is provided by BCT, SFRTA, and the Uptown Link shuttles. Figure 3 illustrates the various transit services provided.

Figure 3 – Existing Transit Services



The Cypress Creek Tri-Rail Station has consistently ranked in the top five for system ridership, mostly due to the local employment base, and accounts for nearly eight percent of Tri-Rail’s total system boardings in 2013. Table 1 details the ridership activity based on an origin-destination study completed in 2013.

Table 5: Existing Tri-Rail Ridership

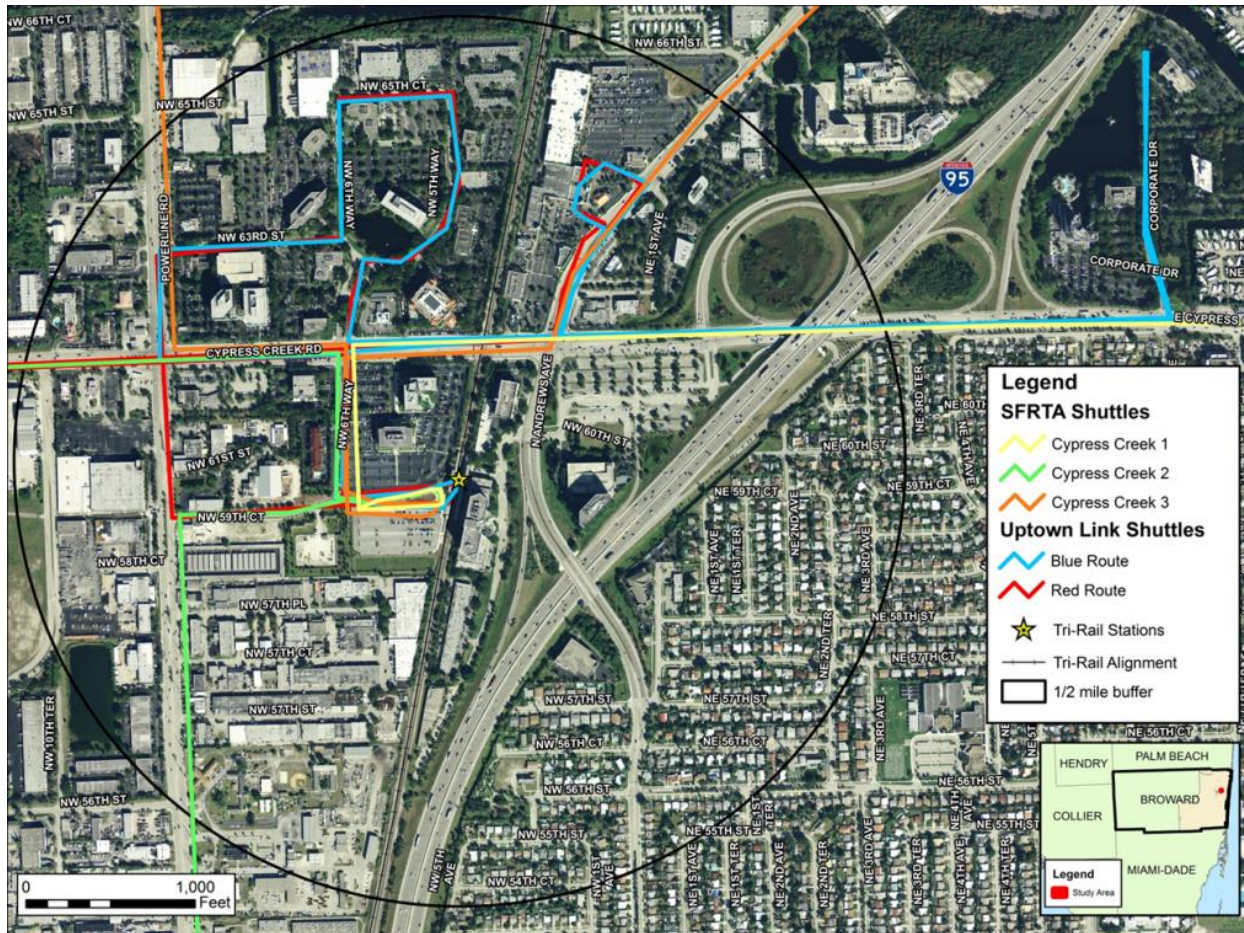
Tri-Rail Ridership	Daily Boardings		Daily Alightings	
	NB	SB	NB	SB
Cypress Creek Tri-Rail Station (2013)	606	491	582	576

Five shuttle services operate throughout the study area providing free connections to the Tri-Rail Station, as illustrated in Figure 4. Three of these services are Tri-Rail shuttle buses and the other two are ‘Uptown Link’ shuttles. The Tri-Rail shuttles operate during the weekdays roughly from about 5am to 10am and from 3pm to 7pm, while the Uptown Link shuttles provide weekday service from 10am to 3pm. The Downtown Fort Lauderdale Transportation Management Association (TMA or Sun Trolley) has recently voted to oversee the operations of the Uptown Link shuttles. Table 2 shows the growth in ridership for the Tri-Rail shuttles since 2012, as well as the recent ridership for the Uptown Link shuttles.

Table 6: Existing Tri-Rail Shuttle Ridership

	Tri-Rail Cypress Creek Shuttles			Uptown Link
	#1	#2	#3	
Average Weekday Riders (2012)	121	203	138	-
Average Weekday Riders (2014)	155	193	152	10
Average Monthly Riders (2014)	3,352	4,176	3,299	300
Monthly Riders (Mar. 2015)	n/a	n/a	n/a	437

Figure 4 – Existing Tri-Rail Shuttle and Uptown Link Shuttle Routes



BCT operates three bus routes in the area: Routes 14 (Powerline), 60 (Andrews), and 62 (Cypress Creek). Based on total ridership, Routes 14, 60, and 62 ranks 11th, 14th, and 22nd out of 45 total BCT routes respectively. Of the three BCT routes serving the area, two currently circulate through the FDOT park and ride lot (Routes 60 and 62) and one serves the Tri-Rail surface lot (Route 14) as depicted in Figure 5. Only the northbound trip for Route 14 accesses the Tri-Rail station directly, while the southbound trip for Route 14 currently stops just north of and south of NW 59th Ct along Powerline Road. Broward County is collaborating with FDOT to create a median opening at NW 59th Ct and Powerline Road with a signalized intersection that would allow all vehicles to access the Tri-Rail Station from southbound Powerline Road, including Route 14. FDOT is designing the project.

Figure 5 details the current alignment of these BCT routes and the ridership activity (boardings and alightings combined) for all the adjacent bus stops in the study area.

Figure 5 – Existing BCT Routes



Based on ridership data from October 2014, a weekday average of 163 passengers board either Route 60 or 62 at the FDOT park and ride lot. If the average number of weekday riders for Routes 60 and 62 were combined (6,864), the average daily boardings at the FDOT park and ride lot account for just over 2% of the 6,864 weekday riders, as highlighted in Table 3. The amount of riders boarding Route 14 at the Tri-Rail surface lot (26) equates to less than 1% of Route 14's total average weekday riders (4,297).

Table 7: Existing BCT Route Characteristics

Route Characteristics	BCT Bus Route		
	14	60	62
Peak Hour Headways	20	22	40
Average Weekday Riders (Apr. '14)	4,297	4,430	2,434
Weekday Service Hours	18	18	16.5

Table 8: Existing BCT Ridership by Stop Location

Average Daily Bus Stop Ridership Activity (2014)			
Location	BCT Bus Routes	Total BCT Boardings	Total BCT Alightings
Tri-Rail Station	14	26	39
FDOT Park-and-Ride Lot	60, 62	163	71

Existing Non-Motorized Transportation Network

Broward County currently identifies five different types of bicycle facilities, each with their own design: multi-purpose paths, bike lanes, wide curb lanes, paved shoulders, and urban shoulders. The first two types of facilities provide more protection from vehicles and allow for a more comfortable environment for bicyclists of different skill levels. The bicycle facilities within the study area consist of wide lanes and urban shoulders (a delineated bicycle zone at the curb) and are depicted in Figure 6.

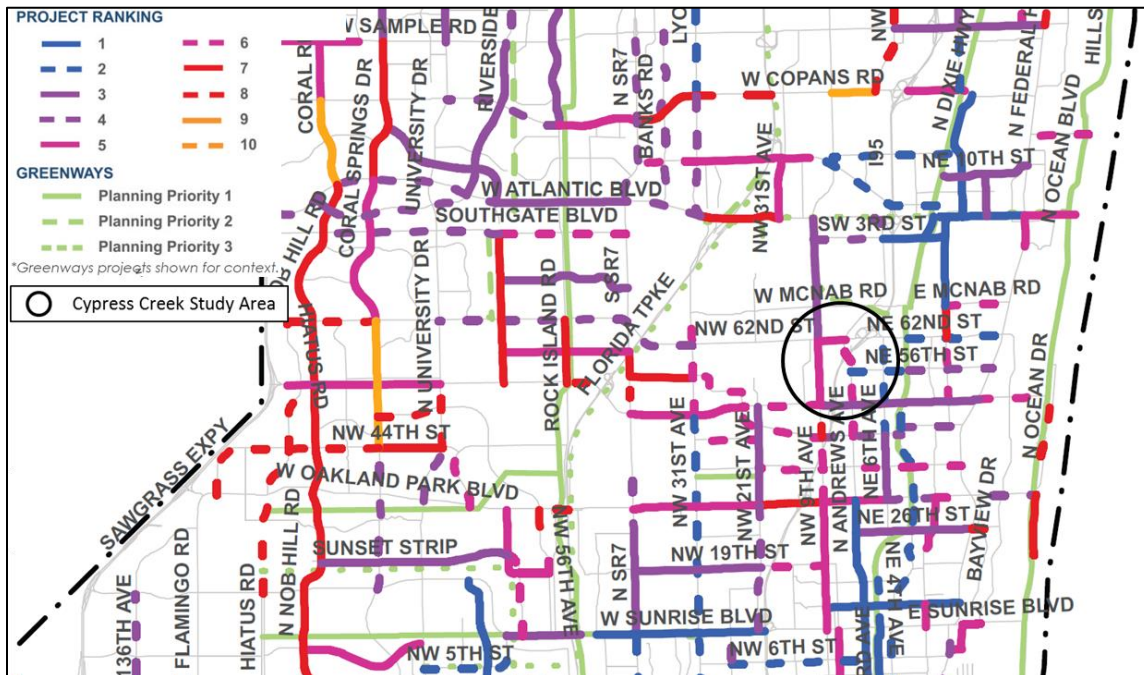
Figure 6 highlights gaps in the overall bicycle network in the study area. Although there aren't any existing multi-purpose paths or bike lanes in the general vicinity of the station, providing connections between existing facilities will begin to create the desired network. This study's recommendations will better connect these existing on-street facilities and supplement them with off-street connections.

The 2035 Broward Long Range Transportation Plan identified bicycle improvement projects throughout the County, and ranked them for implementation. There are facility improvements planned within the Cypress Creek study area that would improve the bicycle network by providing needed links between existing facilities such as along Powerline Road and along Cypress Creek Road between Powerline Road and I-95. Figure 7 illustrates the various planned bicycle projects throughout the County that are cost feasible and scheduled to be implemented within the next 20 years.

Figure 6 – Existing Bicycle Facilities



Figure 7 – 2035 Cost Feasible Bicycle Projects



3.4 Utilities

The SFRTA Cypress Creek Operations Center: Utility Memorandum (2004) was reviewed, as well as the most recent information from Broward County, the City of Fort Lauderdale, and the City of Oakland Park, in order to determine existing and planned infrastructure in the study area.

Study Area Water Service Boundaries

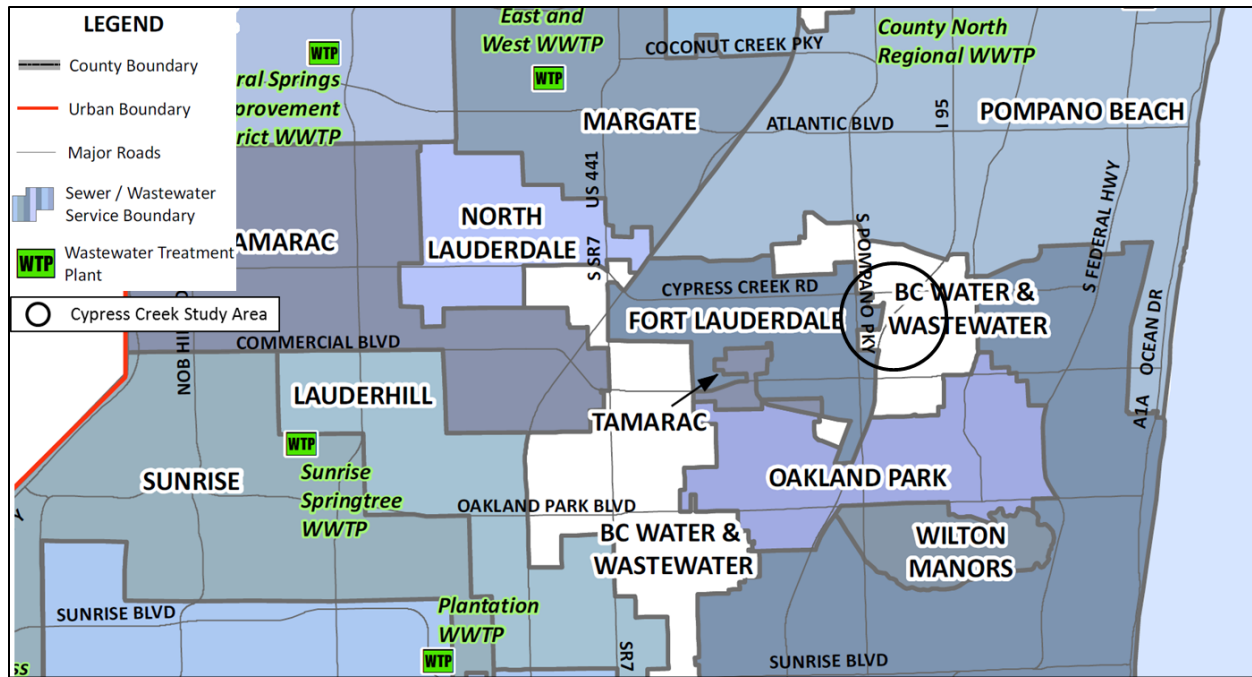
The Cypress Creek study area is within the District 1 Water System of Broward County, whose system interconnects with the City of Fort Lauderdale, the City of Tamarac, the City of Plantation, and the City of Lauderhill. Collectively, District 1 has a permitted plant capacity of 16 million gallons of treated water only using about 10 million gallons daily, which means there is excess capacity for any additional development within the Cypress Creek area. The SFRTA owned parcel is located within District 1, and is served by the City of Fort Lauderdale, although there are no direct connections currently to the SFRTA-owned site.

As depicted in Figure 8, water and sewer services would be provided to the SFRTA-owned site by the City of Fort Lauderdale, although not currently served. Broward County provides water and sewer services to the area shown in white. Water to the study area is provided by the Broward County North Regional Waste Water Treatment Plant (WWTP), which averages a daily flow rate of approximately 71.2 million gallons of water. A recent expansion project increased the plant's treatment capacity to 95 million gallons daily. According to the Water and Wastewater Systems Annual Report FY 2012¹⁷, the North Regional WWTP currently has the capacity to meet the projected demands of all large users and the County to at least the year 2035.

The North Regional WWTP provides contracted wholesale wastewater services to 11 large users including the Cities of Coconut Creek, Coral Springs, Deerfield Beach, Lauderhill, North Lauderdale, Oakland Park, Pompano Beach, and Tamarac. All of the wastewater collected in Districts 1 and 2, and all large user customers, are treated at the North Regional WWTP, accounting for nearly 35% of the population in the County. District 2 makes up all of Pompano Beach and some areas to its north.

¹⁷ <https://www.broward.org/WaterServices/Documents/2012AnnualReport.pdf>

Figure 8 – Utility Service Area Boundaries

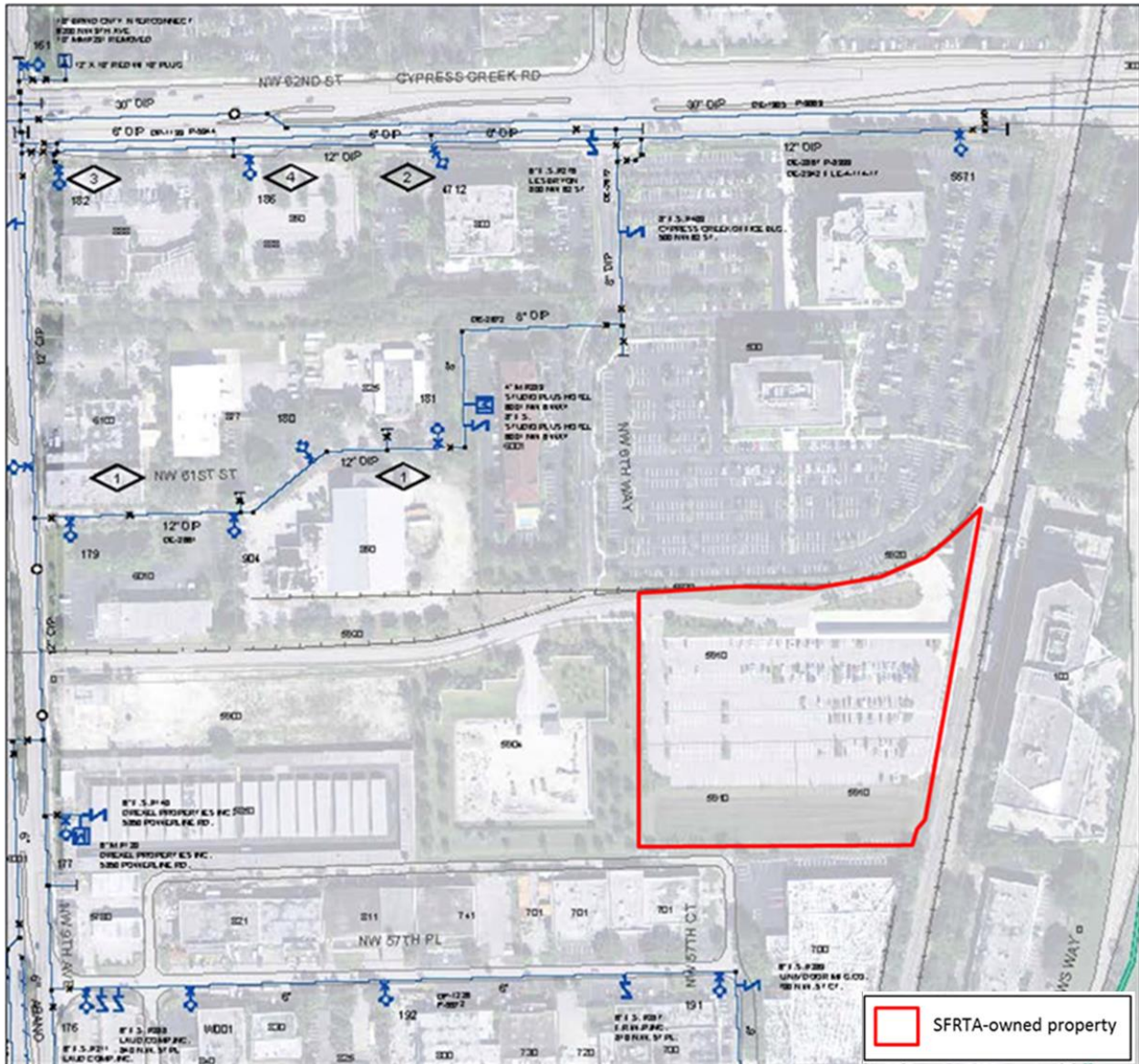


Source: Broward County

Connections to the SFRTA-owned Site – Water and Wastewater Services

Figure 9 depicts the existing infrastructure for water service within the study area, which provides potable water to users. There are no existing lines located within or adjacent to the SFRTA-owned parcel providing water service. There is a 12" water main and a 4" force main located along Powerline Road. According to the Utility Memorandum (2004), any future development of the SFRTA site would require a new connection (10 – 12" lines) from the existing water mains on Powerline Road and/or Cypress Creek Road. A new pump station would also likely be required. Future potential development is based on the parcel size. According to the City of Fort Lauderdale's Unified Land Development Code, potable water service must be made available prior to occupancy to provide for the needs of any proposed development.

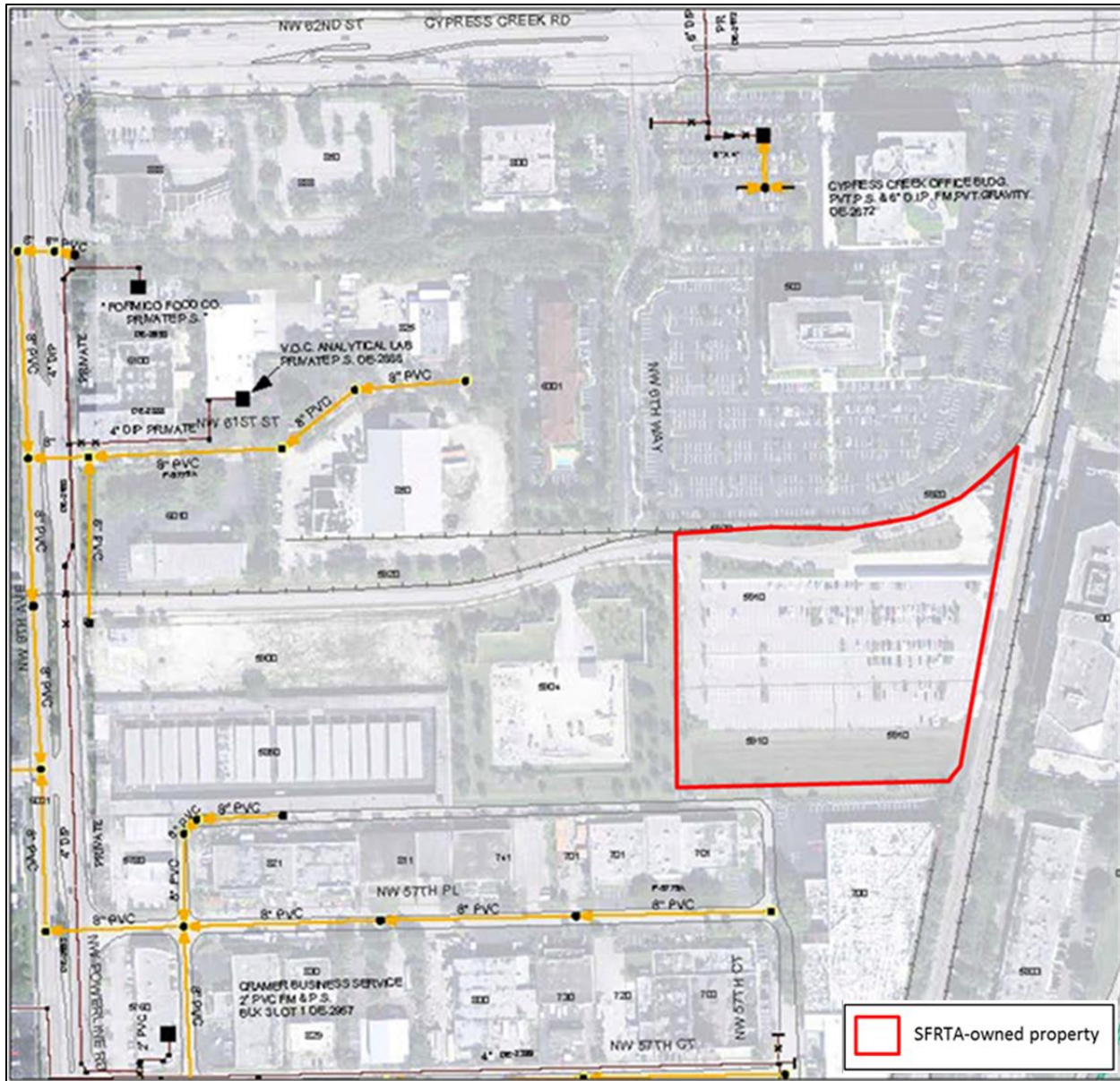
Figure 9 – Existing City of Fort Lauderdale Water Facilities



Source: City of Fort Lauderdale

Figure 10 shows the existing infrastructure for sewer service within the study area. There are no existing lines that directly serve the SFRTA-owned parcel. According to the Utility Memorandum, any future development of this parcel would require an 8” line extended to the site. Future potential development is based on the parcel size.

Figure 10 – Existing City of Fort Lauderdale Sewer Services

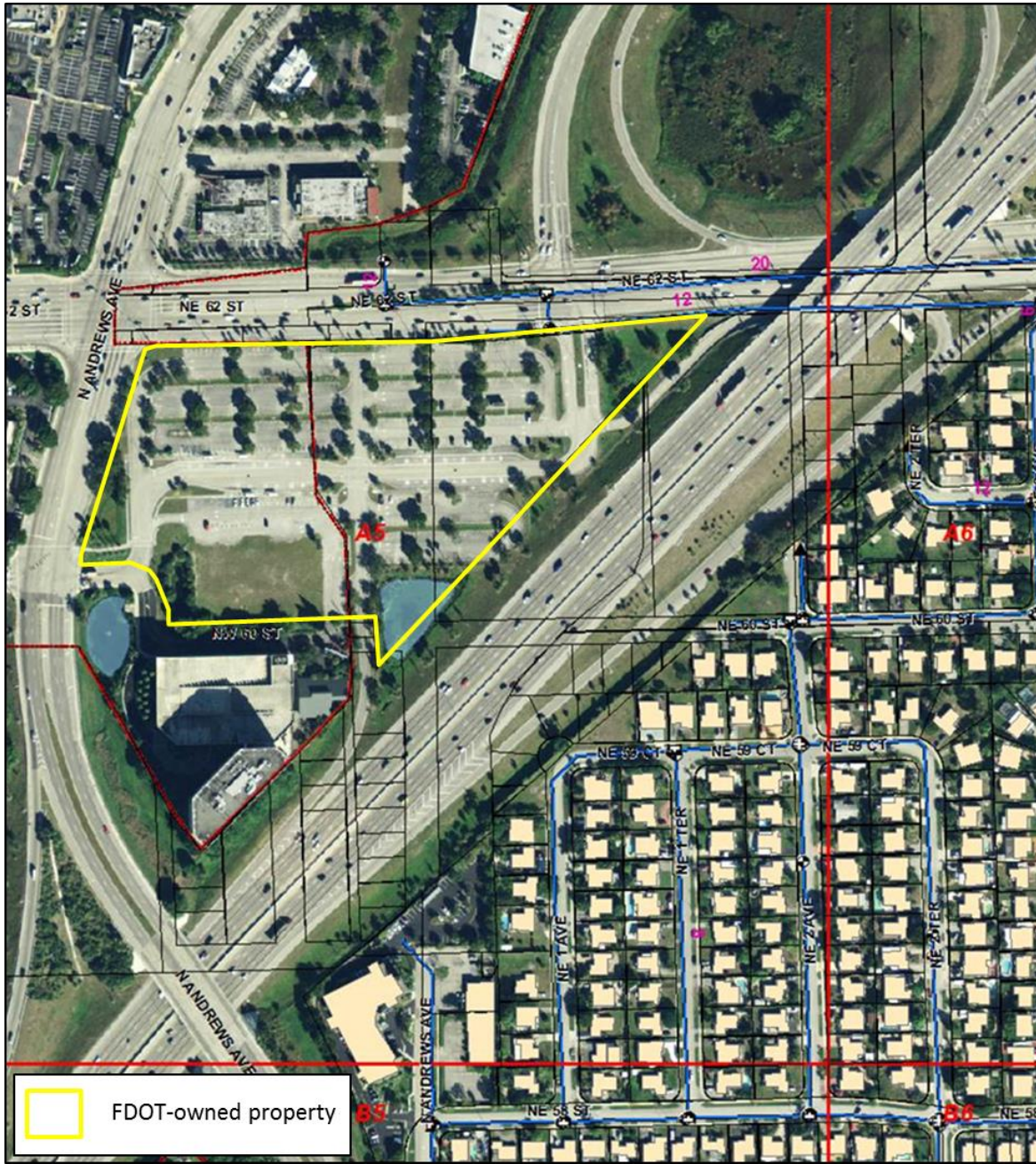


Source: City of Fort Lauderdale

Connections to the FDOT-owned Site – Water and Wastewater Services

Figure 11 shows the existing infrastructure for water service provided by Oakland Park within the study area. Water and sewer services are mainly provided to the FDOT-owned site by the City of Oakland Park. The Oakland Park service boundary ends east of Andrews Avenue at Cypress Creek and only serves half of the FDOT-owned site, leaving the western portion of the parcel to be served by Broward County.

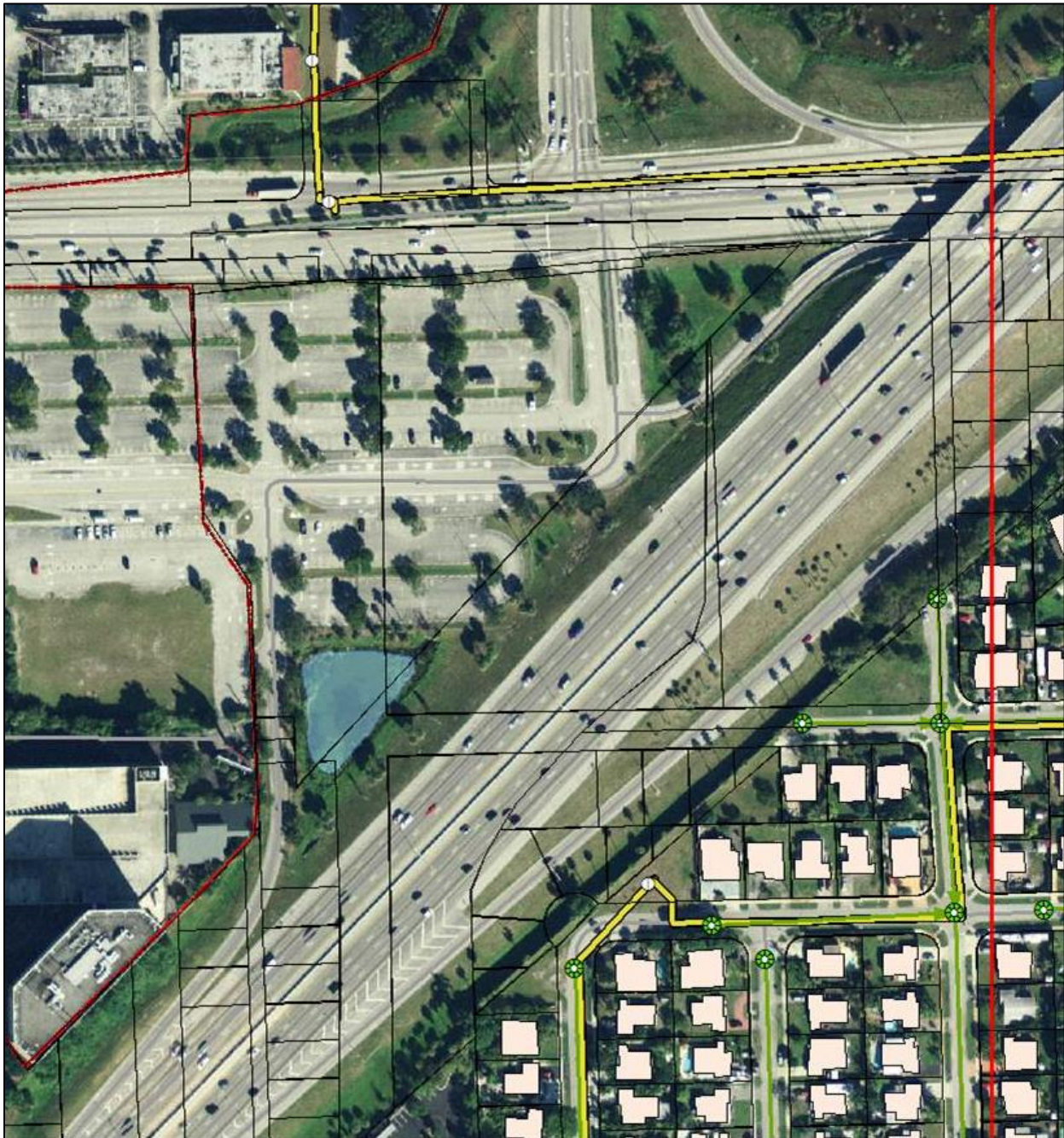
Figure 11 – Existing City of Oakland Park Water Facilities



Source: City of Oakland Park

Figure 12 shows the existing infrastructure for sewer service provided by Oakland Park in the study area. The Oakland Park service boundary ends east of Andrews Avenue at Cypress Creek and only serves half of the FDOT-owned park and ride lot. The remaining western portion of the site is served by Broward County.

Figure 12 – Existing City of Oakland Park Sewer Services



Source: City of Oakland Park

Table 9: Summary of Existing Utilities

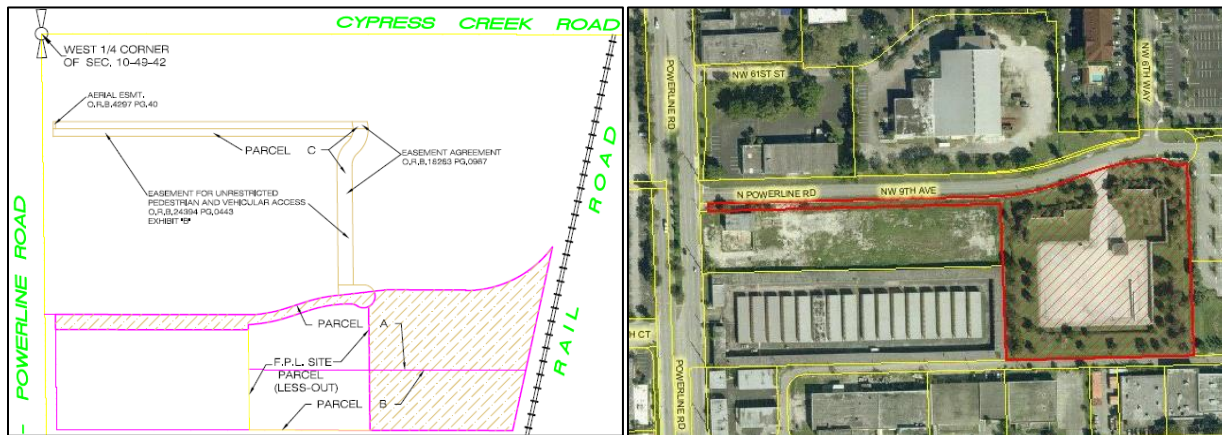
Utility	SFRTA-owned	FDOT-owned	Study Area
Water Provider	City of Fort Lauderdale	City of Oakland Park	varies
Sewer Provider	City of Fort Lauderdale	City of Oakland Park	varies

* study area services are provided by Oakland Park, Fort Lauderdale, or Broward County

Florida Power and Light Infrastructure

FP&L operates a storage facility adjacent to the site. There are overhead lines along Powerline Road and the northern side of NW 59th Court. Figure 13 shows the existing electrical easements in place within the study area as it relates to FP&L utilities and the SFRTA-owned site, extending north along 6th Way from the FP&L site, and then west to Powerline via a green strip behind the parcels fronting on Cypress Creek. FP&L also owns a strip of land extending from its substation to Powerline Rd along the southern side of NW 59th Ct. as seen in Figure 13. Any streetscape improvements recommended for NW 59th Ct. that proposes using this right of way will likely require an easement from FP&L to use this sliver of property. FP&L may be amenable to selling this property so they would not be required to maintain it.

Figure 13 – Existing FP&L Electrical Easements and Property Line



Stormwater Retention

The SFRTA Cypress Creek Operations Center: Preliminary Drainage Report (2004), the Cypress Creek Tri-Rail Station Parking Lot: Geotechnical Report (2008), and the Cypress Creek Tri-Rail Station Parking Lot: Stormwater Management Report (2009) were reviewed to better understand the existing conditions of the SFRTA-owned site in terms of water retention and drainage. The Storm Water Permit (#SWM2009-030) for the site issued by Broward County is included in the Appendix. The following information from these reports and permit will be used to assist in the site design process:

- The permit clearly indicates that only storm water from the SFRTA site drains into the retention area. There is no other site draining into the SFRTA retention area.

- Broward County requires at a minimum a 5 year storm event drainage design for the surface parking lot. The site is currently designed to manage a 25 year flood event. Any future development of the site could use a 5 year storm event drainage design, thus reducing the acreage required for drainage of the site and increasing the development potential. However, given that new building(s) may be included in a future development scenario, it is recommended to maintain the current retention area unless building a parking structure on piles above the retention area.
- Any development with a new site design will require a new drainage permit from Broward County, regardless of drainage design and location.
- Constructing structured parking on top of pylons over the retention areas is allowable, as long as there are no occupied building structures over the retention area. Any design of a drainage retention area under a parking structure will need to be designed and sized to meet the storm water regulations for the site.

As the study moves forward and specific designs for the SFRTA site are developed, additional discussions with the County regarding potential water retention needs will be undertaken.

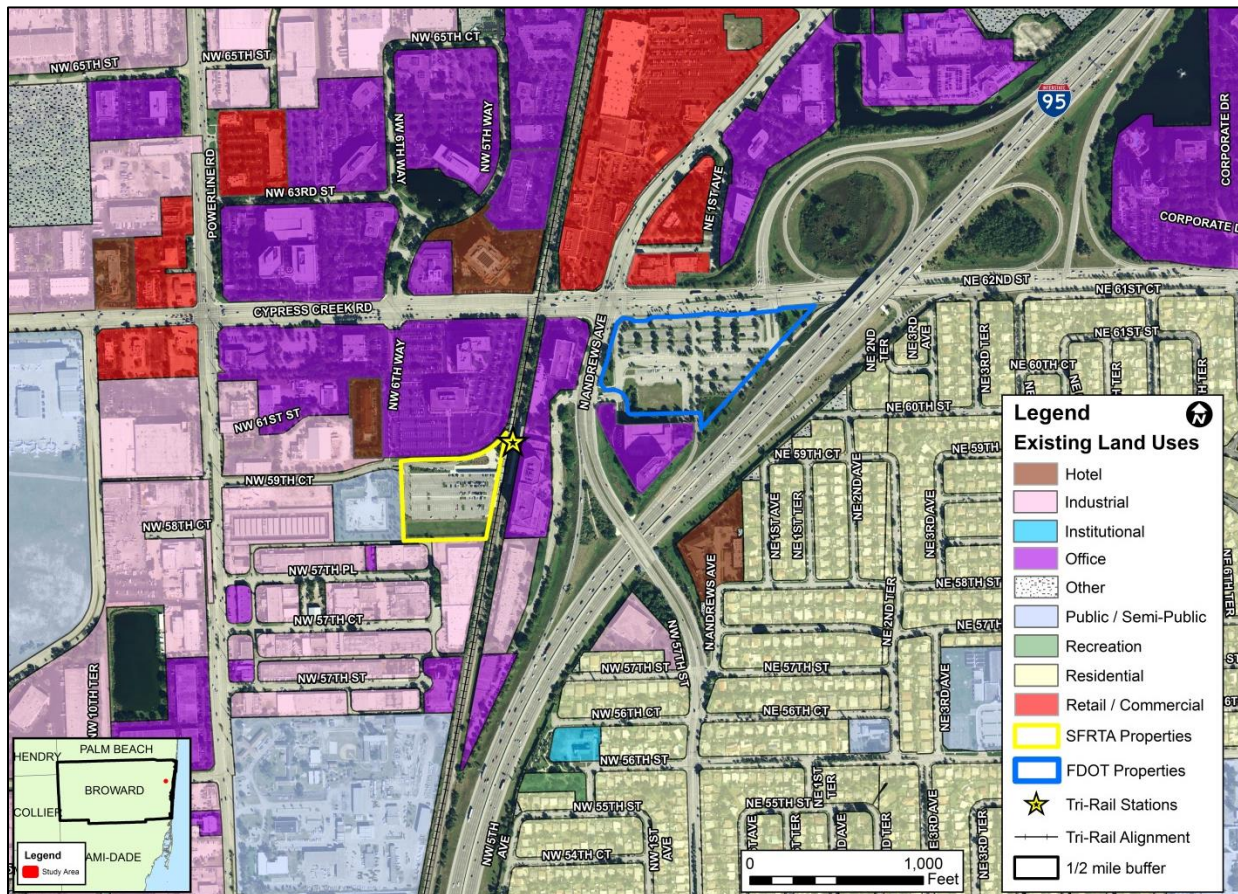
4.0 Regulatory Environment

There are several regulatory provisions, codes, policies, and objectives regarding future land use, zoning, parking, height restrictions (FXE/FAA), and landscaping that will impact any future development on this site. Depending on the outcome of the study, changes to these regulatory provisions may be necessary to support appropriate Mobility Hub development.

4.1 Existing Land Use and Zoning

Figure 14 illustrates the existing land uses within the study area. The SFRTA-owned site and the FDOT-owned site are currently used as park and ride lots. The majority of the adjacent land uses near the Cypress Creek Tri-Rail Station are office uses with clusters of industrial uses to the west and south of the SFRTA park and ride lot. The industrial uses, especially to the south, appear stable and are not anticipated to change in the near future. The existing land use for the SFRTA-owned site is industrial at the City and County levels.

Figure 14 – Existing Land Uses



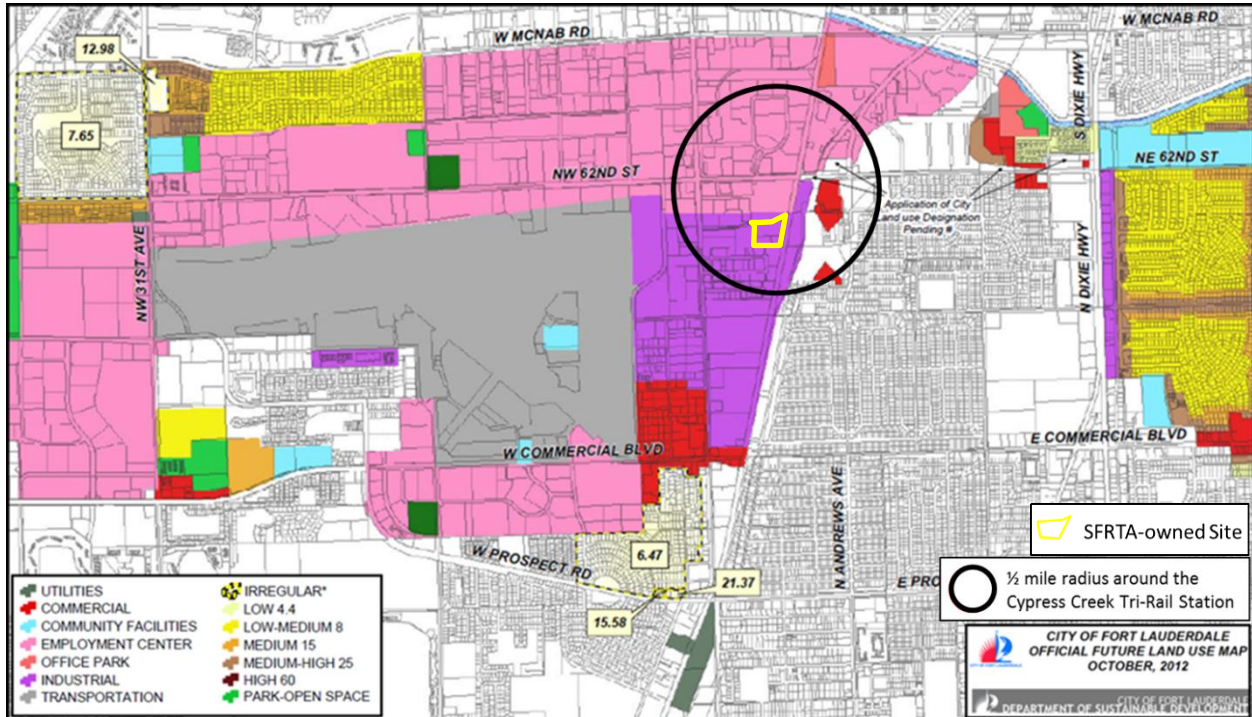
Source: University of Florida GeoPlan Center – D4 Land Use 2014

4.2 Future Land Use and Zoning

City of Fort Lauderdale Future Land Use and Zoning

Figure 17 illustrates the City of Fort Lauderdale’s adopted Future Land Use Plan near the Cypress Creek area, which designates the SFRTA-owned parcel as ‘Industrial’. The City’s land use plan is certified by Broward County as consistent with the overall County plan.

Figure 15 – City of Fort Lauderdale Future Land Uses

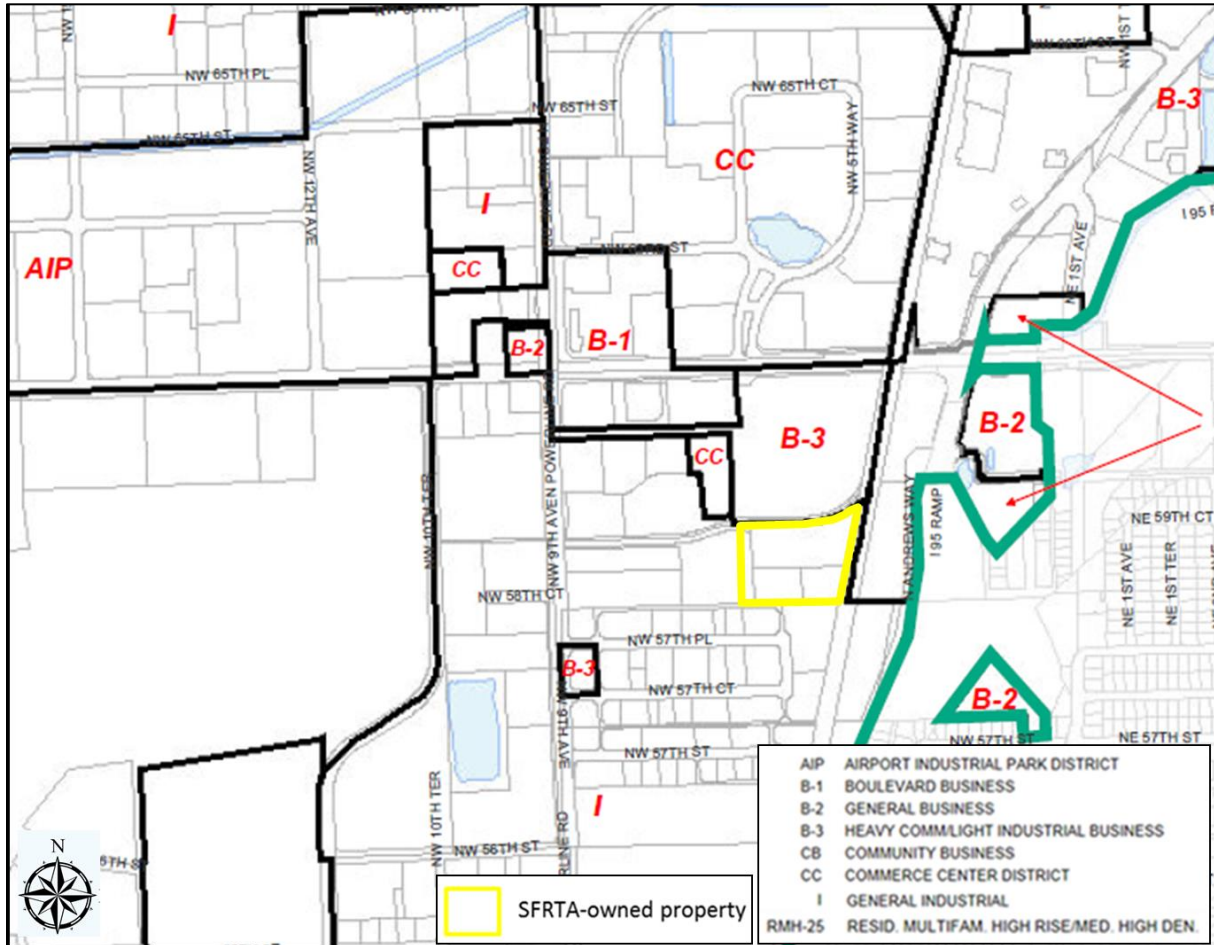


Source: City of Fort Lauderdale

Flexibility is provided by the Broward County Land Use Plan (BCLUP) regarding the allowance of other uses, such as commercial and office within an industrial category, and this flexibility is also included in the City’s Comprehensive Plan within the Future Land Use Element.

Figure 16 illustrates the existing City of Fort Lauderdale zoning designations within the study area.

Figure 16 – Existing Fort Lauderdale Zoning

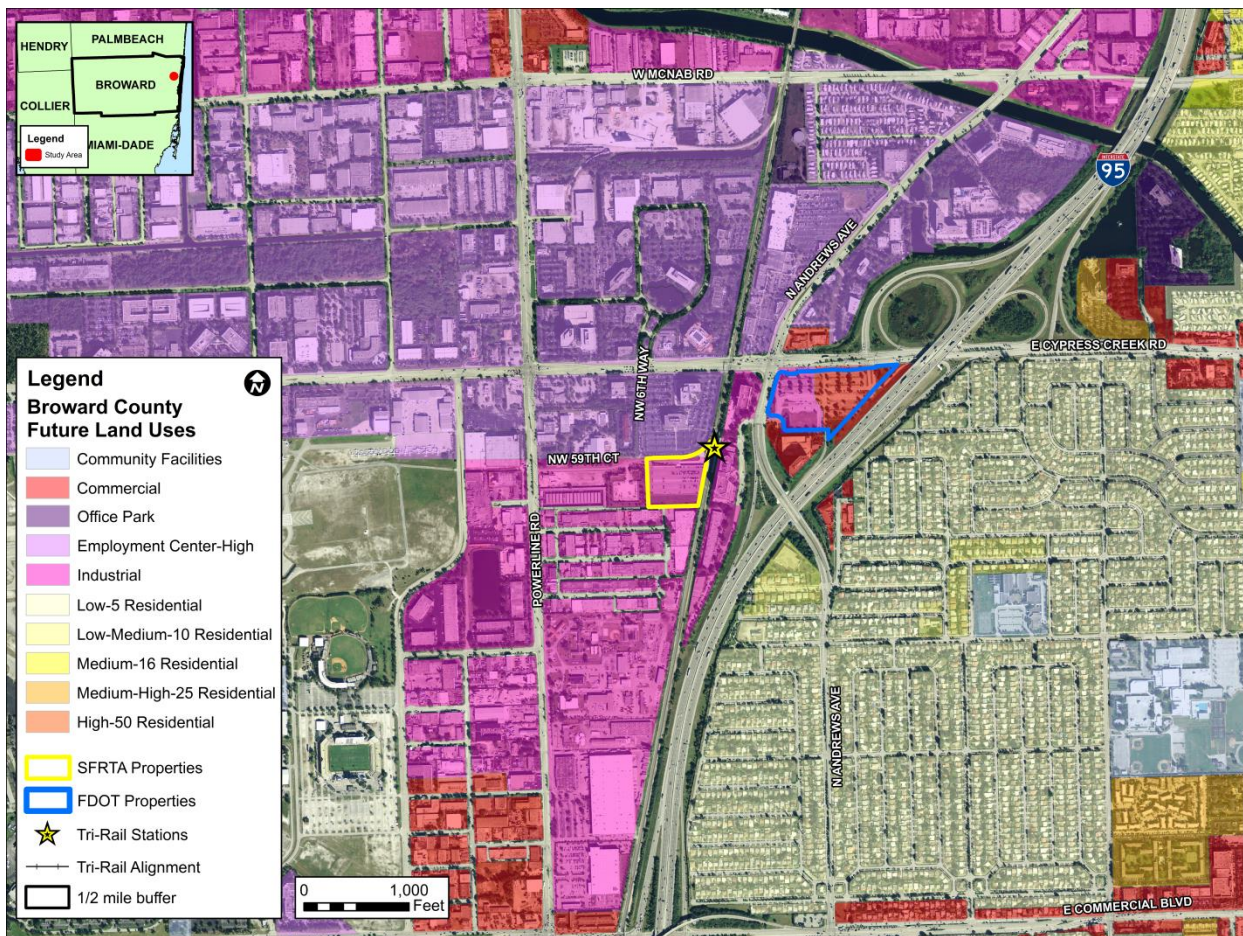


Source: City of Fort Lauderdale – Department of Sustainable Development (2014)

Broward County Future Land Uses

Figure 16 illustrates Broward County’s adopted future land uses within the study area. The two future land uses that dominate the study area are ‘employment center – high’ and ‘industrial’. The SFRTA-owned property is currently designated for industrial use.

Figure 17 – Broward County Future Land Uses



Source: Broward County GIS – Future Land Use

The SFRTA-owned park and ride lot is within a 'General Industrial' zone that extends to the west and south, reflecting the current use pattern. According to the BCLUP and the Fort Lauderdale Comprehensive Plan's Future Land Use Element, areas that are designated as industrial may permit other non-industrial land uses, but typically have some sort of restriction for that non-industrial use attached. At the County level, some of the non-industrial activities outright permitted within an industrial land use include:

- Heavy commercial uses including new and used automobile services, printing plants, bakeries, trade shops, gas sales, salvage yards
- Educational, scientific, and industrial research facilities
- Office uses
- Transportation facilities
- Recreation and open space, cemeteries, and commercial recreation uses
- Community facilities

- Ancillary commercial uses within buildings devoted to primary industrial uses
- Wholesaling uses
- Communication facilities
- Utilities

However, even though the Broward plan allows office outright as a land use in the Industrial category, the City's plan does not allow it. Therefore, in order to allow any office, retail or hotel uses within this industrial designated land, the use of flexibility (flex) units is required. Flex units are allocated as part of a rezoning process at the City. Currently there are 29.34 acres available to flex from industrial to another use and the SFRTA site is approximately 5 acres.

The SFRTA site is currently zoned General Industrial. It is surrounded by an industrial zone to the south and west and with business zones (B-1, B-2, B-3, CB, and CC) to the north and east. The non-industrial permitted uses within an industrial zone according to the City of Fort Lauderdale's Unified Land Development Code (ULDC) do not currently include any commercial or lodging uses.

The ULDC lists the permitted and conditional uses that are allowable within 'general industrial districts'. No forms of residential uses are outright permitted within general industrial districts. Residential uses within industrial areas are not allowable unless the residential units are within the same structure as the industrial uses and are intended for the owner, manager, or caretaker of the industrial use without application of flexibility units or reserve units.

Retail sales and services, including offices, are permitted only when accessory to the existing industrial uses. The permitted uses within an industrial zone according to the City of Fort Lauderdale's Unified Land Development Codes include:

- Automotive, aircraft, and watercraft sales, service, and repair
- Manufacturing and processing of products
- Public purpose facilities
- Storage facilities
- Wholesale sale and rental services
- Accessory uses, buildings, and structures
- Urban agriculture

In order to develop any commercial, office, hotel, or other non-industrial uses on the SFRTA-owned site, the use of flex within the flex zone would be required along with a rezoning application and a site plan level III application. The Planning and Zoning Board would then need to approve the rezoning and conduct a public hearing process, which would include rezoning signs on site and notification to adjacent owners. Envision Uptown's and the Fort Lauderdale Executive Airport's support will be critical to this effort. This process could take 5 to 6 months for approval. A rezoning, to a B-3 category, with flex unit application would be consistent with adjacent areas and with the future vision for the area.

The City of Fort Lauderdale does not anticipate other land owners in need of flex within the same flex zone as SFRTA, making it more likely for non-industrial uses on the SFRTA-owned site. If a rezoning is approved with a specific site layout, the City can administratively allow a 5% deviation from the approved site plan if in the future it changes with a new developer. Residential uses are not allowed on the site even with the flexibility allowed by the Broward County land use plan. A detailed summary of the coordination meeting with the City of Fort Lauderdale regarding the land use and zoning implications for a change in future use of the SFRTA-owned site is included in Appendix C.

If a rezoning using flexibility is not a desired option, the other avenue to allow any proposed use besides Industrial would be a land use plan amendment to the Broward County Land Use Plan. This process could take up to a year to process. Once the County's plan is amended, then the City would have to update their future land use plan to be consistent, and then a rezoning would follow based on the proposed uses for the site.

4.3 Potential Future Land Use Categories for SFRTA-owned site

There are a number of potential land use categories for the SFRTA-owned site that would allow for the desired density levels and mix of uses being considered by this study.

Commercial

The areas designated for commercial use provide land area for business, office, retail, service and other commercial enterprises which support the resident and tourist populations of Broward County. Allowable non-commercial uses within a commercial land use category include:

- Retail uses
- Office and business uses
- Wholesale, storage, light fabricating and warehouse uses
- Hotels, motels, and similar lodging
- Recreation and open space, cemeteries, and commercial recreation uses
- Community facilities

- Special Residential Facilities, which are typically licensed by the State for individuals who require treatment, care, rehabilitation, or education
- Transportation facilities
- Communication facilities
- Utilities

Residential uses are permitted in the Commercial category with the application of flexibility or reserve units.

- The residential floor area of mixed commercial/residential structures does not exceed 50% of the total floor area of the building; and/or
- The first floor of mixed commercial/residential structures is totally confined to commercial uses; and/or
- For parcels 5 acres in size or less, free-standing or mixed use multi-family structures are permitted; within areas designated on the County Plan as Urban Infill, Urban Redevelopment or Downtown Revitalization Areas or Chapter 163 Redevelopment Areas, free-standing or mixed use multi-family residential uses are permitted on parcels 10 acres in size or less; and/or
- Residential units within the same structure as commercial uses for the owner, manager or caretaker of the commercial uses may be located in areas designated commercial without the application of flexibility units or reserve units.

Employment Center

In general, Employment Center areas are designated to encourage types of development which may be compatible with residential and other less intensive land uses, and which would support high technology and service-based activities. This type of category is further refined into “Employment Center-Low” and “Employment Center-High.” The “Employment Center-Low” category does not allow manufacturing uses and is designed to be inherently compatible with residential uses. The “Employment Center-High” category will allow light manufacturing uses.

Allowable uses within an employment center-low area include:

- Office uses
- Research businesses
- Hotel, motels, and similar lodging
- Restaurants and personal services
- Community facilities

Residential uses are permitted in the Employment Center category without the need to amend the local land use plan, provided that the local government applies flexibility or reserve units to the parcel in the following manner:

- For parcels 5 acres in size or less, free-standing or mixed-use multi-family structures are permitted; within areas designated on the County Land Use Plan as Urban Infill, Urban

Redevelopment or Downtown Revitalization Areas or Chapter 163 Redevelopment Areas, free-standing or mixed use multi-family residential uses are permitted on parcels 10 acres in size or less.

Commercial and retail business uses may also be permitted as long as the total area of these uses does not consume more than 20 percent of the employment center land designated by the Future BCLUP within a flexibility zone, and as long as the location of these uses does not preclude or adversely affect the future use of surrounding areas for employment center use.

Mixed Use Residential

The 'mixed use residential' land use category achieves and encourages a better blend of land uses as compared to single use categories. The urban form of mixed used developments could be *vertical* or *horizontal* uses. The former usually has commercial or retail on the ground floor with residential uses on upper floors, whereas the latter usually features separate uses located side by side in the same building.

There are four types of mixed use developments based on density and intensity, measured by allowable densities per acre and floor area ratios. Mixed use developments are also regulated by design guidelines, which aim to promote an urban form which creates well integrated land use combinations, balanced intensity and density, and promotes a safe transportation network for all users. These design guidelines attempt to ensure the mixed use development is compatible with surrounding land uses. Some of these guidelines include:

- Buildings should front the street (zero or minimum setbacks are preferable)
- Vehicle parking strategies which lessen conflicts with bicycles and pedestrians while promoting transit usage (i.e. parking structures, reduced parking ratios, shared parking, etc.)
- Other design features which promote transit (integrated transit stop, enhanced shelter, etc.)
- Improved circulation system designed to strengthen bicycle and pedestrian connectivity

All of the allowable land uses within the residential, commercial, community facilities, and employment centers land use categories are permitted within a mixed use residential designation.

Office Park

Office Parks are designated to encourage the location of planned office complexes and corporate headquarters in Broward County. Office Park areas should ensure a campus-like atmosphere with substantial building and ample open space. Employee services such as shopping and eating establishments should be allowed, but limited to areas within buildings primarily devoted to office use. Traditional residential uses as well as mixed use residential are not allowed within an office park area. Non-office park uses allowed within an Office Park area include:

- Offices for uses such as administrative, professional, and business purposes
- Banking and financial institutions

- Educational, scientific, and industrial research facilities
- Restaurants and personal services which are accessory to the primary office uses
- Community facilities
- Utilities and communication facilities
- Recreation and open space uses
- Hotels, motels, and similar lodging
- Special Residential Facilities, which are typically licensed by the State for individuals who require treatment, care, rehabilitation, or education

This category could only be applied to any future concept that did not include a residential component.

Residential

Areas designated strictly 'residential' are intended primarily for dwelling, but other land uses related to a residential environment, including neighborhood shopping centers, parks and schools as may be appropriate. Other permitted uses within a designated residential area include hotels, community/civic facilities, and public utilities. Other uses permitted in areas designated residential include:

- Home occupations and other uses accessory to a dwelling unit
- Hotel, motels, and similar lodging
- Parks, golf courses, and other outdoor recreational facilities
- Community facilities such as schools, day care centers, churches, clinics, nursing homes, police and fire protection, libraries, among others
- Public utilities such as water and wastewater plants, pumping stations, power plant substations and transmission facilities, excluding landfills and electrical power plants
- Communication facilities
- Special Residential Facilities, which are typically licensed by the State for individuals who require treatment, care, rehabilitation, or education

Office uses and neighborhood retail and commercial uses are permitted subject to the following limitations and provisions:

- No more than a total of five percent of the area designated for residential use within a flexibility zone may be used for offices and/or neighborhood retail sales of merchandise or services.
- No added contiguous area used for offices and/or neighborhood retail sales of merchandise or services may exceed ten acres.
- Space within residential buildings in areas designated for Medium-High (25) Residential or High (50) Residential density may be used for offices and/or retail sales of merchandise or services, as long as no more than 50% of the floor area is used for said purposes.
- Space within residential buildings in areas designated for Medium (16) Residential density may be used for offices, as long as no more than 50% of the floor area is used for offices.

Regional Activity Center

This land use category fosters development or redevelopment in areas of regional significance by encouraging mixed-use development, enhanced mass transit, improved non-motorized transportation options, and reduced demand for automobile travel by providing incentives for quality development that gives definition and a sense of place to the urban form. The Cypress Creek area would qualify as an area of regional significance based on its concentration of employment and presence of the Tri-Rail station.

The BCLUP requires the following criteria be met in order for an area to qualify as a regional activity center:

- The area must consist of at least 160 gross contiguous acres and be west of the Intracoastal Waterway
- An interlocal agreement between the municipality and Broward County must be executed that which provides that monitoring of development activity and enforcement of permitted land use densities and intensities shall be the responsibility of the affected municipality.
- Regional activity centers shall include a mix of land uses of regional significance, including residential.
- Regional activity centers shall integrate open space that is accessible to the public in order to enhance pedestrian and non-motorized activities and connectivity
- Prior to submitting for an amendment to the BCLUP, the municipality shall ensure that the proposal has been the subject to a broad public participation process such as mailed notices, advertised public workshops, and meeting targeting the affected property owners, business owners, residents, and stakeholders.

Transit Oriented Development

This land use category encourages higher densities and mixed use development in areas served by regional transit stations, such as Tri-Rail stations, major transit hubs, and neighborhood and regional transit centers as designated in the Broward County Comprehensive Plan Transportation Element.

The TOD land use category must be supported by policies in the local land use element that incorporate design criteria to require pedestrian connectivity to regional transit stations with development that is mixed use with a “sense of place” and is transit supportive. But most importantly, residential use is required as the principal component within a TOD use (Policy 10.05.01). Other important policies include:

- Policy 10.05.03 – At least two non-residential uses must be permitted in the designated area as principal uses: e.g. retail, office, restaurants, personal services, hotel, light industrial, research business, civic, and institutional.

- Policy 10.05.04 – Additional or expanded, standalone automobile oriented uses such as large surface parking lots, gas stations, etc. ... should be prohibited by the local government unless designed in a manner to encourage pedestrian and transit usage.
- Policy 10.05.06 – The municipality shall ... ensure that Transit Oriented Development includes design features that promote and enhance pedestrian mobility, including connectivity to regional transit stations such as integrated transit stops, public plazas/open space, wide pedestrian and bicycle paths, zero/minimal building setbacks, and vehicle parking strategies that encourage and support transit usage.
- Policy 10.05.07 – Local governments shall include within their local land use element policies that require internal pedestrian and transit amenities to serve the residents and employees within the TOD such as seating, shade, light fixtures, trash receptacles, bicycle parking, art, etc.

4.4 Development Approval Process – Broward County

According to the Broward County Implementation Regulations and Procedures, a local government may grant an application for a development permit consistent with the BCLUP or a certified local land use plan when it has determined that the following requirements are met:¹⁸

- Traffic circulation, transit, parks and recreation, drainage and flood protection, potable water, solid waste, sanitary sewer public facilities and services and public schools will be available to meet established level of service standards, consistent with Chapter 163.3180, Florida Statutes and the concurrency management policies included with Goal 8.00.00 of the BCLUP.
- Local streets and roads will provide safe, adequate access between buildings within the proposed development and the trafficways identified on the Broward County Trafficways Plan prior to occupancy.
- Fire protection service will be adequate to protect people and property in the proposed development.
- Police protection service will be adequate to protect people and property in the proposed development.
- School sites and school buildings will be adequate to serve the proposed development.
- Development does not include a structure, or alteration thereof, that is subject to the notice requirements of Federal Aviation Regulations (FAR), Part 77, Subpart B, unless the Federal Aviation Administration issues, or has issued within the previous ninety (90) days, a written acknowledgment that said structure or alteration would not constitute a hazard to air navigation and does not require increases to minimum instrument flight altitudes within a terminal area, increases to minimum obstruction clearance altitudes, or any other operational modifications at any existing airport or heliport or any planned or proposed airport as described in FAR Part 77.21(c)(2).

¹⁸ <https://www.broward.org/PlanningCouncil/Documents/LandUsePlan/dimplementationregulationsproc.pdf>
Section D.1 (page IV-83)

As previously mentioned, Broward County has established an interdepartmental Complete Streets Team that is tasked with coordinating with municipalities and other partners to implement Complete Streets improvements throughout the County. The Complete Streets team also played a significant role in the development and review of the Broward County 2040 LRTP by emphasizing and supporting projects with enhanced bicycle and pedestrian components. This team will play an integral role in reviewing the recommended streetscape improvements as a part of this study.

4.5 Development Approval Process – The City of Fort Lauderdale

The process for acquiring a development permit is stated in the City’s Unified Land Development Code. An application for a development permit shall meet the following list of minimum requirements:

- Name, address and telephone number of the applicant
- A statement of ownership of the subject property or proof of authorization to apply for a development permit from the legal property owner of the parcel proposed for development
- Survey of the subject property
- Legal description of the subject property
- A brief description of the development permit request
- Existing use of the subject property
- Proposed use of the subject property
- Existing zoning of the subject property
- Existing land use designation of the subject property
- Existing zoning, existing use, and existing land use designation of lands within seven hundred (700) feet of the subject property
- A general vicinity map showing the location of the parcel proposed for development or use at a scale of not less than one inch equals five hundred feet
- For development permits that require public notice, the following is required:
 - Property appraiser's tax map showing all properties required to be noticed, and their relation to the subject parcel
 - List of property owners' names, tax identification number and address

Adequacy requirements are used by the city to evaluate any proposed development’s demand on public services and facilities such as:

- Communications network
- Drainage facilities
- Impact on environmentally sensitive lands
- Fire and police protection
- Parks and open space
- Potable water supply and demand
- Schools
- Solid waste
- Stormwater
- Transportation facilities
- Trash management
- Historic and archaeological resources
- Hurricane evacuation

Neighborhood and community compatibility requirements are also applied to proposed developments seeking a permit that include design and performance standards that must be met, such as:

- Emissions of smoke, odor, particulate matter, and noise
- Lighting
- Control of appearance (architectural features, parking restrictions, wall requirements, etc.)
- Bulk controls (density, FAR, maximum heights, etc.)
- Circulation (vehicular ingress/egress, transit accommodations, bicycle and pedestrian, etc.)

Parking is a key element of any development plan. Parking can consume 50 percent or more of the building and land area of a development. An oversupply of parking can result in excess storm drainage impacts, as well as limiting the development potential of a parcel. According to the City of Fort Lauderdale's ULDC¹⁹, parking requirements are based on the type of land use being served. Most land uses require one parking spot per specific square foot of use, while residential uses typically use dwelling units to estimate the number of parking spots required. Included in the ULDC are provisions for shared parking, which is authorized for a development site with multiple uses that demonstrate that the uses are in close proximity to one another and have different peak parking demands and operating hours. The Development Review Committee may authorize a shared parking request pending that a shared parking study is conducted and clearly identified the proximity and temporal parking demand of each use. The parking study shall:

- Address the size and type of activities, the composition of tenants/uses, the rate of parking spot turnover anticipated, and the peak parking demands
- The shared parking study shall not recommend a reduction in the number of handicapped spaces provided
- Be approved by the City Engineer based on the feasibility and observations of the uses

Tree Planting Policies

According to the adequacy requirements of the development review criteria within the ULDC, street trees are required along the length of the property abutting a street in order to provide for adequate landscaping along streets within the city. One of the more important functions of street trees, especially in the context of walkability near a transit hub like the Cypress Creek Tri-Rail station, is the ability to provide shade for pedestrians. The development review criteria require a minimum of fifty percent (50%) of the required street trees be shade trees. This criterion would only apply to the portion of the SFRTA property that fronts on NW 59th Ct., unless additional roads are built within the property to enhance the internal circulation. It is recommended that the street trees that are selected for the length of the property are all shade trees to provide for a more comfortable pedestrian environment.

¹⁹

https://www.municode.com/library/fl/fort_lauderdale/codes/unified_land_development_code?nodeId=UNLADERE_CH47UNLADERE_ARTIIIDERE_S47-20PALORE_S47-20.2PALOZORE

The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21 of the ULDC Landscape and Tree Preservation Requirements. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

According to the neighborhood compatibility requirements of the development review criteria within the ULDC, private sector landscape planting should be consistent with the proposed use and adjacent development. Street frontage landscaping should not be blocked visually by fences or other architectural treatments. All street frontages should have palms and shade trees, with half of these trees being shade trees. Adjacent developments to the SFRTA site, especially to the south, have minimal existing landscaping because of the industrial nature of the land uses. Only the side of the site facing NW 59th Ct would be held to this development review criteria, because it would be the only side fronting a street.

Trees planted at or near the street curb line are meant for aesthetic, environmental and security reasons. Trees planted within the median serve similar functions as sidewalks trees, but they also protect cars against head-on collisions, block the direct sun into the eyes of drivers, and protect pedestrians crossing the street. The placement and size of trees within the median is influenced by the proximity to and speed of the adjacent roadway. As the speed of traffic increases and median width narrows, size of tree selected should decrease or be moved farther into the center of the median.

Although Cypress Creek Rd is a county-owned and maintained roadway, the Landscape Standards for Roadways in Broward County defers to the FDOT standards for tree setbacks within medians. The FDOT standard requires that trees are a minimum of 6' setback from face of curb if planted within a median. So if a tree trunk was 2' in diameter, the minimum size for the median would be a total of 14'. Trees within the median would only fit along Cypress Creek Rd if the existing medians are widened, which results in existing through lanes for traffic being repurposed. Other roadways like Andrews Avenue have less right of way to repurpose, thus making it more difficult to include median street trees while adhering to the FDOT tree setback standard. The proposed streetscape concepts developed for this study were developed consistent with the Broward County complete streets guidelines.

Tree Preservation Policies

Existing trees should be preserved or otherwise mitigated if at all possible. According to Section 25-147 of the ULDC, no person shall, without a written permit from the city manager or director of the parks and recreation department, cut, prune, break, injure, remove, or in any other way deface any living tree in a public highway or park. Although the existing trees that are within or adjacent to the SFRTA-owned property are not a part of a public highway or park, they should still be preserved if possible. Most of the existing trees are within landscaped islands within the park and ride lot, which will likely result in these trees needing to be transplanted elsewhere once the site is developed. But there are some trees that

line NW 59th Ct as well as the turnaround near the Tri-Rail station that should be able to be preserved and not impacted by any future development of the site.

It is always recommended to preserve existing trees by designing around them. But if this is not possible, the next best option is either transplanting the tree or replacing it. The larger and more desirable a tree is, the more effort that should be placed in preserving that tree throughout the development process. There are very few trees of significant size within and adjacent to the SFRTA site, although this does not preclude future developers from attempting to preserve the existing trees.

If, as determined by the City, there are large desirable existing tree(s) that are capable of being protected with a reasonable modification to the site plan and the proposed placement of the site plan will not save such tree(s), then a tree removal permit may be denied in lieu of an alternative or redesigned site plan that includes the desired tree(s). A tree removal permit can also be issued when the applicant has agreed to transplant the tree to another location within the city or replace the tree.

Trees retained on a site shall be protectively barricaded before and during construction activities as approved by the department. If possible, underground utility lines shall be routed around existing trees to the outside of the dripline. Installation of fences and walls shall take into consideration the root systems of existing trees.

Driveway Connection Policies

According to Section 25-13 of the Development Review Criteria, before a driveway is constructed adjacent to the pavement of any of public street in the city, permission shall be obtained from the office of the city engineer, and a detailed drawing of the size and nature of the improvement to be made shall be filed with the city engineer. (Code 1953, § 40-13) Driveways shall be permitted in all zoning districts within the required front and side yards. Smaller parcels should be encouraged to share common access with adjacent parcels keeping curb cuts to a minimum.

Pedestrian Access Policies

According the Development Review Criteria of the ULDC, hotel and commercial development shall provide direct access to adjoining public sidewalks in order to stimulate pedestrian activity. These spaces shall supplement public sector walkways and improve access to the adjacent land uses. Parking facilities should be located in close proximity to the building they serve with direct pedestrian access from parking to building which does not impact public pedestrian facilities.

The first floor of all buildings, including structured parking, should be designed to encourage pedestrian scale activity. To stimulate pedestrian activity, street level retail uses should have direct access to the adjoining public sector sidewalk in addition to any other access which may be provided.

Structured parking facilities should be designed with street level frontages consisting of either occupied retail space or an architecturally articulated facade which screens the parking area of the structure.

Street level openings to parking structures should occur only on side streets and be minimized to accommodate necessary vehicle entrances and pedestrian access only.

Open spaces for public congregation and recreation should be encouraged to the extent that these spaces do not substantially interrupt the streetscape edge at the building line. The streetscape edge should be maintained by architectural features, site furnishings, and other landscape elements that provide continuity between the building line of adjoining structures. All urban open spaces should be accessible and visible from the adjoining public sector corridor while providing for the safety and security of patrons. Entryways and steps to these open spaces should be kept wide and welcoming in character. All urban open space must be kept handicap accessible.

Americans with Disabilities Act (ADA) Facility Policies

Improving access and mobility within the study area must apply to all potential users, including any handicapped persons. All streetscape improvements and any modification to the SFRTA-owned site must be handicap accessible per ADA regulations. This includes enhancements to transit stops, sidewalk improvements, and other accessibility upgrades. The types of materials used, such as pavers within crosswalks or pushbutton accessible-pedestrian signals, must take into account the needs of handicapped roadway users. These policies extend to both the public and private developments. Entryways and steps to open spaces should be kept wide and welcoming in character while being handicap accessible.

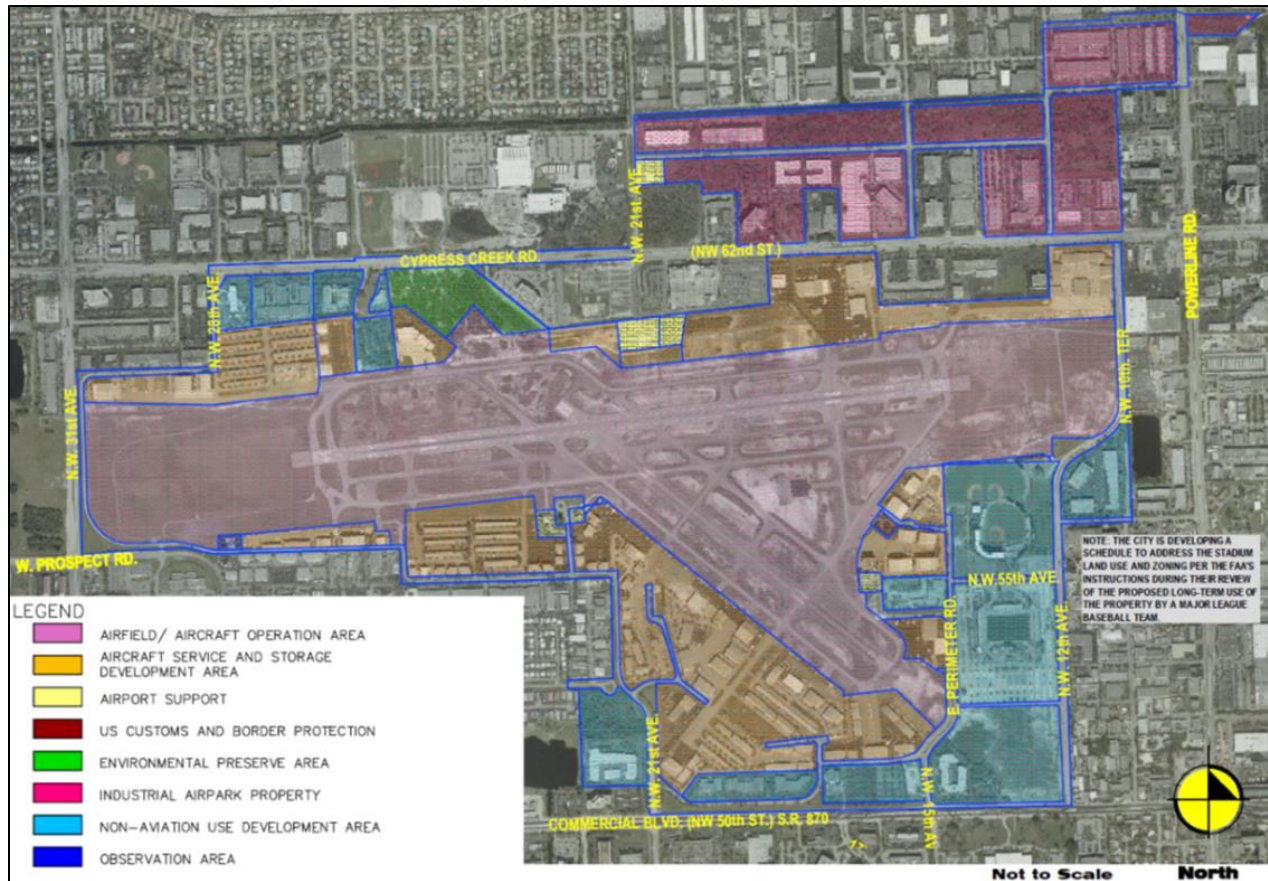
4.6 Fort Lauderdale Executive Airport

The Fort Lauderdale Executive Airport completed its most recent master plan in 2009. This plan identified goals and objectives that would help guide the future growth in and around the airport area. The goals and objectives included:

- Provide an airport that is safe, secure, efficient, and reliable
- Consistency with federal, state, and local growth plans and economic development policies
- Provide airport facilities that are compatible with potential aviation-related growth scenarios
- Address environmental feasibility and compatibility with neighboring communities
- Ensure the airport evolves in a manner that is both flexible and adaptable to changing conditions in the aviation world
- Provide a high level of service to the airport's consumers

Figure 18 illustrates the FXE’s Strategic Business Plan / Master Plan land uses. Existing uses include the newly constructed US Customs and Broader Protection Facility, the Non-Aviation Development Area, the Industrial Airpark, and a series of large parcels located to the north of Cypress Creek Road, which is owned by FXE. These Industrial Airpark parcels are currently undeveloped and still require a *Highest and Best Use* study to determine which type of use would be most feasible/viable for future developers.

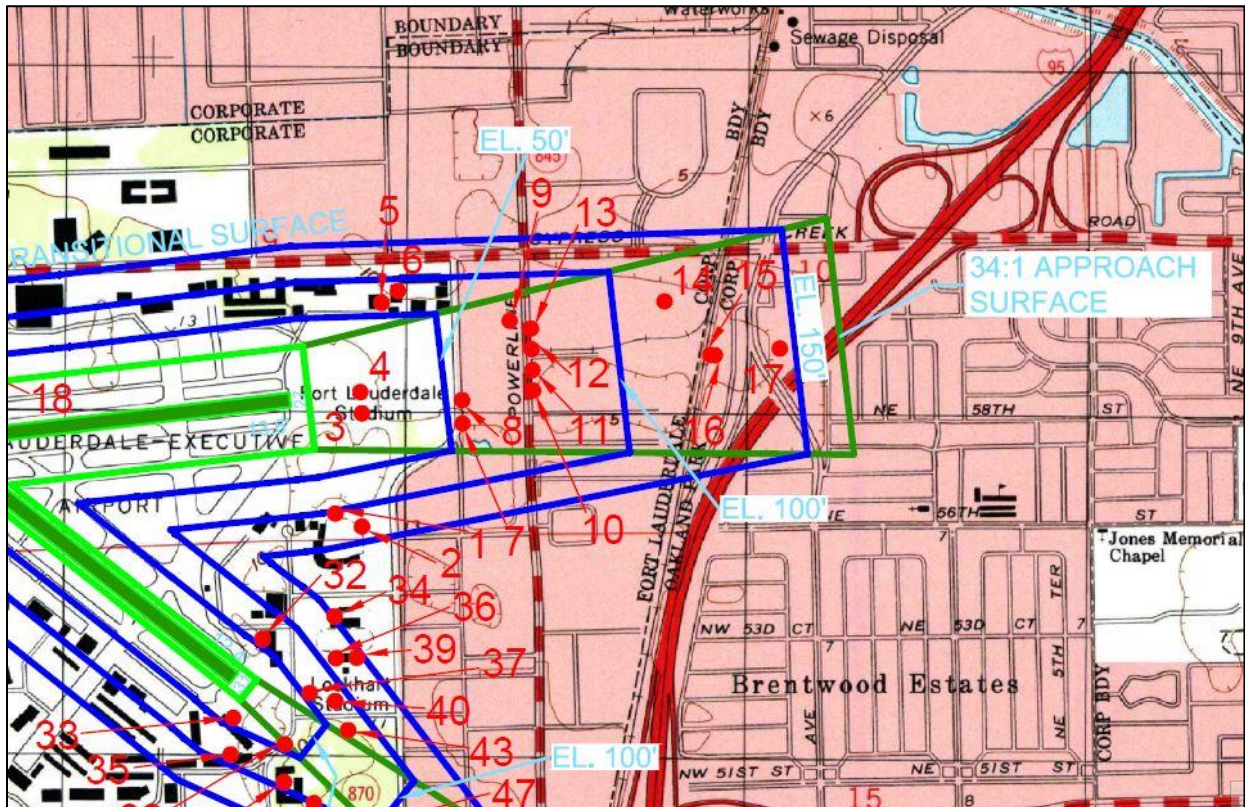
Figure 18 – Fort Lauderdale Executive Airport Existing Land Uses



Source: Fort Lauderdale Executive Airport – *Master Plan*

According to the existing FAA regulations and FXE, there are height restrictions imposed on any developments directly in the path of the runways, which includes the SFRTA-owned parcel. Figure 19 shows that any development within the path of the runway (green outline) must adhere to the height restriction of 34:1, meaning for every 34 feet from the end of the runway, one foot of vertical development is permitted.

Figure 19 – FAA Height Restrictions



Source: Fort Lauderdale Executive Airport

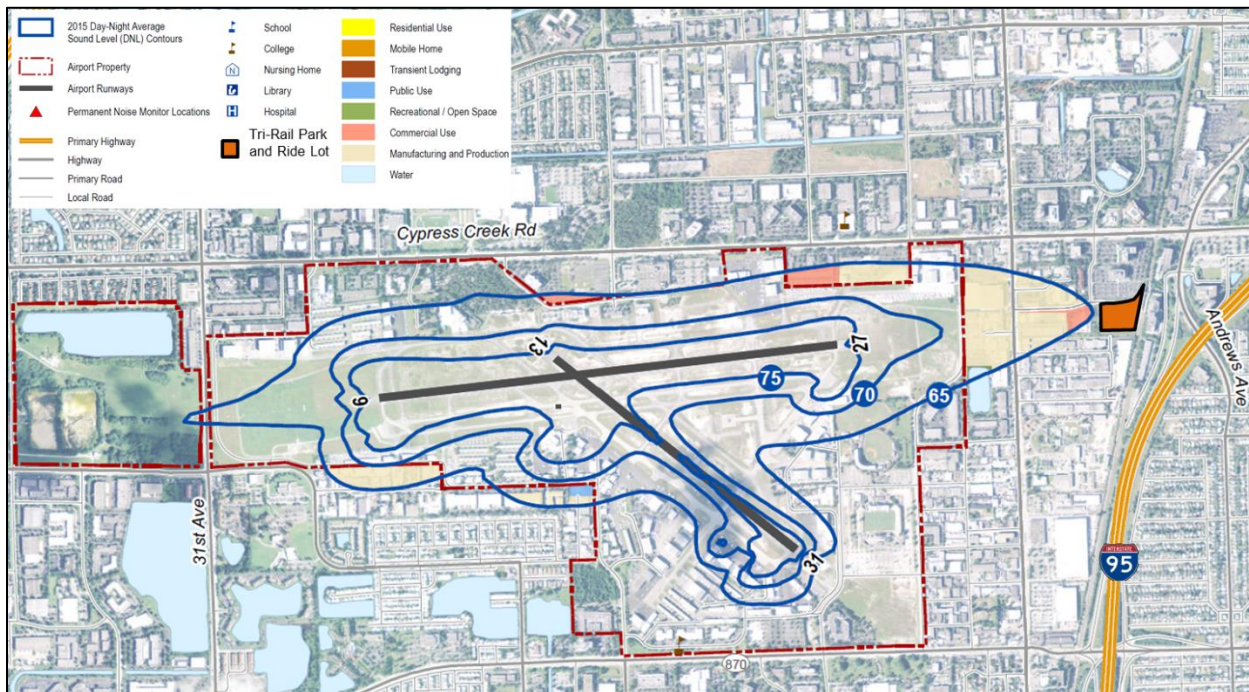
As depicted in Figure 20, the most western portions of the SFRTA-owned parcel are approximately 3,200 feet away from the runway. Based on confirmation from FXE and using the FAA regulation of 34:1 referenced earlier, development on the SFRTA site can be scaled from 94' on the west side of the site to 110' on the east side.

Figure 20 – FAA Height Restrictions



Another consideration that must be taken into account with regards to residential development near the FXE airport is the exposure to noise. According to the latest Noise Exposure Map seen in figure 21, the 65 day-night average sound level contour comes to the edge of the SFRTA-owned site. Typically, residential development is not allowed inside of this sound level contour. These contours shift slightly from time to time and could be an issue for any future residential development of this SFRTA-owned site.

Figure 21 – FXE 2015 Noise Exposure Map



5.0 Review of Potential Public Funding Sources

Potential public sector funding sources to contribute to master plan identified improvements include the Cities, the County, the MPO, FDOT, and federal sources, as summarized below.

These are not stand alone funding sources, but are best used in a package of sources. Typically, in today's funding environment, implementable projects weave together an array of federal, state, and local funding sources. The development strategy ultimately pursued for the SFRTA site and supportive improvements will likely require one or more of these funding sources.

5.1 Federal Funding Sources

Some potential sources of federal funding that may be applicable to this effort are TIGER grants and Federal Transit Administration (FTA) funding for joint development projects. The US Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program may also be a source for funding depending on what improvements are being funded. The following subsections provide further detail for these potential funding sources. The Federal Highway Administration's (FHWA) Transportation Alternatives Program (TAP) is also an available source of funding specifically for bicycle and pedestrian improvements.

TIGER Grants

TIGER grants, while highly competitive, can be considered as a potential funding source for some capital improvements, such as highway or bridge projects, public transportation projects, freight rail projects, high speed and intercity passenger rail projects, and port infrastructure projects. The USDOT gives priority to projects that have a significant impact on desirable long-term outcomes such as improving the condition of existing transportation facilities and systems, contributing to the economic competitiveness of the US, fostering livable communities through place-based policies and investments that increase transportation choices, improving energy efficiency, reducing dependence on oil, and improving the safety of the US transportation facilities and systems. TIGER funds are only available on a periodic basis when Congress appropriates funds in an authorization bill. The upper limit for TIGER grant awards is typically \$20 million.

Federal Transit Administration (FTA)

Joint development funding²⁰ can be used for planning assistance, as it relates to the preparation of transportation plans, planning, engineering, designing, and evaluating a public transportation project. Capital costs associated with joint development activities may also be eligible for FTA assistance, including: property acquisition, site preparation, utility relocation and construction, walkways, bicycle lanes, pedestrian connections, access links between public transportation and related development, renovation of intercity bus/rail stations, open space and streetscape improvements, transportation-related furniture/ amenities, and parking improvements with a public transportation justification and use.

²⁰ http://www.fta.dot.gov/documents/FTA_C_7050_1_Guidance_on_Joint_Development_Circular.pdf

As referenced in the 2014 FTA circular, these funds cannot be used to “outfit” raw space that will be leased by a commercial entity. However, there is increased flexibility now in financially supporting the development of some uses, such as day care and medical offices that provide a strong complement to transit facilities. The four criteria that projects must meet to be eligible for joint development funding are:

- The project enhances economic development or incorporates private investment
- The project enhances the effectiveness of a public transportation service or establishes new or enhanced coordination between public transportation and other modes of transportation
- The project provides a fair share of revenue for public transportation that will be used for public transportation purposes
- And that the tenant occupying the joint development facility pays a fair share of the costs of the facility through rental payments or other means

The US Department of Housing and Urban Development (HUD)

During the stakeholder interview process, some stakeholders mentioned the potential use of HUD funds if the project includes a workforce housing component. HUD offers a variety of grant programs that aim to revitalize and improve urban core areas. Some of these programs are competitive, such as the Neighborhood Stabilization Program as well as the Public Housing Capital Fund. These funds are awarded to affordable housing projects that leverage private sector funding or financing for renovations and energy conservation.

HUD also awards based on formula programs such as the Community Development Block Grant (CDBG). CDBG grants enable local governments to undertake a wide range of activities intended to create suitable living environments, provide decent affordable housing, and create economic opportunities, primarily for persons of low and moderate income. Some basic categories for eligible activities for CDBG funds include acquisition of real property, public facilities improvements (water/sewer services, streets, etc.), construction of housing, special economic development activities, and others. It will be difficult to be eligible for CDBG grants unless the project is framed to benefit low- and moderate-income persons, prevent or eliminate blight, or address community development needs; the latter of these being the most relevant for this project.

Federal Highway Administration (FHWA)

The Transportation Alternatives Program (TAP) replaced the Transportation Enhancement (TE) funding program as a part of the MAP-21 legislation. TAP offers funding for activities that help expand transportation choices and enhance the transportation experience through a variety of eligible transportation activities related to surface transportation including on- and off-road pedestrian and bicycle infrastructure, improved non-driver access to public transportation, enhanced mobility, safety programs, landscaping and scenic beautification, historic preservation, environmental mitigation, among others. Projects seeking TAP funding must address one of these eligible activities while also being programmed in an MPO’s TIP and the Statewide STIP. For most TAP projects, the Federal share is the

same as for the general Federal-aid highway program which is 80 percent Federal and 20 percent State or local match.

The total amount of TAP funds available nationally is equal to two percent of the total amount authorized to be apportioned from the Highway Trust Fund, which is over \$800 million. Each state then gets its share of this total amount of TAP-apportioned funds based on the state's share of the Highway Trust Fund, which is nearly \$50 million in FY 2015 for the State of Florida. Fifty percent of Florida's TAP funds are sub-allocated to areas based on population while the other fifty percent may be obligated in any area of the State.

5.2 State Funding Sources

FDOT's Strategic Intermodal System (SIS)

In 2003, the Florida Legislature and Governor established the Strategic Intermodal System (SIS) to enhance Florida's transportation mobility and economic competitiveness. The SIS is a statewide network of high-priority transportation facilities, including the State's largest and most significant airports, spaceports, deep water seaports, freight rail terminals, passenger rail and intercity bus terminals, rail corridors, waterways, and highways. Florida Statutes direct the Department to provide funding for SIS projects via the State Transportation Trust Fund and additional funding sources, often pooling multiple funding sources together – state, local, or private – depending on the nature of the project and partner match requirements. The Tri-Rail corridor and associated stations were all once considered a part of the SIS system, but since 2013, only Tri-Rail stations that also connect to Amtrak are considered a part of the SIS. Tri-Rail is now designated as an urban fixed guideway transit corridor, which provides little opportunity for SIS funding. Urban fixed guideway transit corridor projects eligible for FDOT SIS funding include planning, design, and construction of sidings, spurs, double tracking, rail yards, new rail line, track upgrades, and grade separations. Urban fixed guideway transit corridor projects not eligible for FDOT SIS funding include rolling stock, loading equipment, railroad signals, operating funds, and non-FDOT land purchases.

County Incentive Grant Program

The County Incentive Grant Program (CIGP) was created by the 2000 Florida Legislature with the purpose of providing grants to counties to improve a transportation facility (including transit) that is located on the State Highway System or that relieves traffic congestion on the State Highway System (SHS). Municipalities are eligible to apply also and can do so by submitting their application through the county. CIGP funds are distributed to each FDOT district office by statutory formula. FDOT will cover 50 percent of eligible project costs.

Eligible projects include those that improve the mobility on the SHS; encourage, enhance, or create economic benefits; foster innovative public-private partnerships; maintain or protect the environment; enhance intermodalism and safety; and those that advance other projects. New technologies such as intelligent transportation systems that enhance the efficiency of projects also are eligible.

CIGP is managed within the FDOT district. Each year, each district notifies the counties within its boundaries of the availability of CIGP funds and asks that applications be submitted by a certain deadline. The District ranks the projects according to the selection criteria and selects projects as funds are made available.

Transportation Regional Incentive Program

TRIP was created by the 2005 Legislature to improve regionally significant transportation facilities in "regional transportation areas." State funds are available to provide incentives for local governments and the private sector to help pay for critically needed projects that benefit regional travel and commerce. FDOT will pay for 50 percent of project costs, or up to 50 percent of the non-federal share of project costs for public transportation facility projects. This program can be used to leverage investments in regionally significant transportation facilities and must be linked to growth management objectives.

Eligible TRIP projects must be identified in appropriate local government capital improvements program(s) or long-term concurrency management system(s) that are in compliance with State comprehensive plan requirements. In addition, projects must be consistent with the Strategic Intermodal System and support facilities that serve national, statewide, or regional functions and function as an integrated transportation system.

Selected projects may also be eligible for revolving loans and/or credit enhancements from the State Infrastructure Bank (SIB) program. If project funding is awarded through the SIB, the funding must be matched by a minimum of 25 percent from funds other than the SIB. SIB loans can be made to a FDOT district office or the Turnpike Enterprise, or they can be between the Department and an entity external to the Department (e.g., County, City, or Expressway Authority).

5.3 Regional, County, and Local Sources

There are a host of regional and county funding sources and mechanisms that could be used to allocate funds for improvements within the Cypress Creek Tri-Rail Station area. These include mobility hub funding from the MPO, establishment of a parking management district, establishment of a special assessment district such as a business improvement district or community development district, a Transportation Management Association, or a tax increment financing district.

Mobility Hub Funding

According to the 2035 LRTP Cost Feasible Plan, the total sum of dollars allocated for mobility hub improvements by 2035 (capital costs as well as operations and maintenance costs) is nearly \$400 million. The LRTP mentions that the implementation of mobility hubs and bicycle, pedestrian, and greenway connectivity projects should be implemented near-term in order to quickly promote transit-supportive land use. Approximately one third of all connectivity projects could be constructed in the near-term including 167 miles of bikeways, and 107 miles of pedestrian sidewalks. Greenways will be expedited with almost two thirds of the total system (153 miles) in place by FY 2020.

Transportation Management Association

Transportation Management Associations (TMAs) are non-profit, member-controlled organizations that provide transportation services in a particular area, such as a commercial district, mall, medical center or industrial park. They are generally public-private partnerships, consisting primarily of area businesses with local government support.

TMAs provide an institutional framework for typical Transportation Demand Management (TDMs) programs and services. They are usually more cost effective than programs managed by individual businesses. Transportation Management Associations can increase transportation options, provide financial savings to businesses and employees, reduce traffic congestion and parking problems, and reduce pollution emissions. They are an important strategy for creating more efficient land use patterns.

TMAs can support smart growth efforts by creating more accessible and resource-efficient land use patterns. TMAs can provide parking management programs that result in more efficient use of parking resources. This can reduce the need to expand parking capacity, reduce the total amount of land that must be paved in an area, and allow increased development densities. For example, a church may allow its parking spaces to be used by a nearby restaurant on Saturday nights in exchange for use of the restaurant's parking on Sunday mornings. This results in more efficient use of parking resources, and allows employers with successful commute trip reduction programs to recoup their costs by leasing excess parking spaces.

Special Assessment District

Special assessment districts (SADs), like tax increment financing (TIF), are a type of public financing tool that captures increases in appreciated property values resulting from public investments in infrastructure, transit, and transportation. In the State of Florida, a SAD refers to a specifically defined geographical area of property owners who have requested some public improvement and agreed to pay for that improvement through pro rata charges levied against owners within the district, as outlined under the 2006 Florida Statutes (Title XIII, Chapter 189, Special Districts).²¹ Special districts are units of special-purpose government as opposed to units of general-purpose government. A special district operates within limited boundaries and is governed by a board with policy-making powers, comprised of appointed and/or elected members who have the expertise to manage its specialized functions. A new district can be created by general law, special act, local ordinance, or by rule of the Governor and Cabinet. The overall implementation process will usually take approximately one year, encompassing a series of steps that include public hearings, mailed notices to impacted properties, certification of the assessment roll, and issuance of debt.

SADs are more direct and less risky. By increasing the property tax rate, they capture a guaranteed portion of current property value in addition to a portion of future increases in property value. TIFs

²¹http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0189/titl0189.htm&StatuteYear=2006&Title=%2D%3E2006%2D%3EChapter%20189

usually require a designation of blight, but SADs do not. The SAD consists of only those properties which are designated as having received a specific and unique "benefit" from the public improvement.

In general, the "benefit" must result directly, uniquely and specifically from the public project. For example, when water and sewer lines are installed by government units, nearby land often increases in value. Land that might have been deemed "unbuildable" before may become "buildable" once certain public investments and improvements are programmed and completed. Providing water and sewer service are situations which may encourage formerly unusable land for residential or commercial use.

Parking Management District

The objective of a parking management district (PMD) is to provide convenient parking, while bringing in revenue for the district. One method to achieve that objective would be to operate and price meters at all times and days when needed to ensure one or two spaces are available on every block. To incentivize acceptance of PMDs, parking meter revenues should be used to pay for local public investments.

PMDs are typically successful where parking demand exceeds supply. PMDs in this area would help to create off-street public parking areas. The Cypress Creek area currently has large amounts of free spaces that go unused, making it difficult to charge people for parking. It would be difficult for a parking management district to be implemented in the near-term without additional destinations in the area.

The city or county would establish an advisory board for the PMD that consists of business and property owners who recommend parking policies and set spending priorities for the zone's meter revenues. The district as a whole would stand to benefit by returning the parking meter revenue to the district for added and improved public services.

Public/Private Sources

Local sources for funding could include private stakeholders, private developers, working with local municipalities to enter into development agreements that would benefit both the public and private sector. There is always the potential for local stakeholders, such as Envision Uptown, to be interested in investing in high profile projects with public agencies that are beneficial projects for the community and spur future economic development. Private development can be combined with public investment efforts in the form of joint development opportunities.

Joint development is a form of a public-private partnership (P3) associated specifically with transit-oriented development that occurs on transit or transportation property. Development opportunities can be directly at the station itself, adjacent land parcels, and, where applicable, air rights. Developing directly at the station or within adjacent parcels is most common for potential P3 funding options, which funding could be used for the capital costs associated with any improvements, and may also be arranged to help fund any operating costs.

Local municipalities can further incentivize developer interest by buying down the cost of the land or funding other permitting and regulatory costs. Local contributions may also include the provision of

necessary capital improvements such as streets, water/sewer services, and other public services to make the site more developable and attractive for prospective developers. In turn, future developers could dedicate portions of their property to the City through easements to allow for a connected greenway or other streetscape improvements that help to enhance the local accessibility around the site.

6.0 Stakeholder Involvement

Meetings and interviews were conducted with agency partners and area stakeholders to determine other potential funding and development strategies for the SFRTA site. These individuals, organizations, and agencies comprise a variety of opinions, perceptions, goals, and objectives, and are ultimately the groups that will implement any recommended improvements. These stakeholders identified opportunities and constraints that will be considered when developing recommended improvements. The public and private organizations and agencies that were represented in the interviews include:

- SFRTA
- Broward MPO
- City of Fort Lauderdale
- City of Oakland Park
- Broward County Planning
- Broward County Traffic Engineering
- Broward County Transit
- FDOT
- Citrix
- Envision Uptown representatives
- Banyan Street Capital
- Career Source Broward

A detailed schedule of meeting dates, representatives, and a general summary can be found in the Appendix. The input and discussions from these groups were categorized into topic areas such as the SFRTA-owned parcel, the FDOT-owned parcel, adjacent study area planning contextual issues, traffic related comments, transit related comments, and market related comments.

7.0 Preliminary Planning Considerations

As preliminary recommendations and concepts for the area and site are developed in the next phase of the planning process, several key issues and opportunities will be considered as a result from the stakeholder input and the regulatory conditions and policy context described previously in this memorandum.

7.1 Key Issues and Challenges

- The SFRTA-owned site is isolated from its surroundings, both physically and visually
- Connections between “quadrants” within the study area, in particular for pedestrians and bicyclists, are very limited
- Existing retail uses are scattered and disjointed
- The potential for and timing of future development on the FDOT-owned site is unknown and could have a bearing on development scenarios on the SFRTA site

- Potential future southbound ramp configuration changes at Andrews Avenue and I-95 are still being developed
- Current utility capacity and service needs to be addressed, including bringing utilities to the site
- A lack of adequate pedestrian-scaled lighting is reported throughout the study area
- The presence of established industrial land uses to the west and south of the SFRTA-owned site impact the market potential to introduce new uses
- An area wide land use plan amendment should be considered with a land use category that maximizes opportunities not only on the SFRTA site but adjacent areas
- The SFRTA-owned site will also require a rezoning application and site plan level III application for the City of Fort Lauderdale to use any flex zoning allocation.

7.2 Key Opportunities

- Enhancement to the pedestrian and bicycle environment
- Reduction in local automobile trips
- Transit visibility and accessibility enhancements
- Establishment of a coherent identity for the corridor/study area
- Ability to help induce growth in the market area over time
- Support for more residential uses over the long term to attract retail uses in the area.
- Establishment of long-term parking policy changes to encourage shared and more efficient parking
- Collaboration and potential partnerships with neighboring properties such as the University of Phoenix owners
- Improvement to the transit service in the area, which can be more efficiently integrated by relocating stops, improving connections, and redesigning service routes
- Provision of gateway features, consistent “branding” of the area, and linkages to generate a more cohesive neighborhood around the SFRTA-owned site

7.3 Next Steps

In the next stage of the planning process, the project team will develop a near-term strategy for the SFRTA-owned parcel that includes draft area concepts and site plan concepts with supportive public investments based on the existing conditions, regulatory framework, and stakeholder involvement.

Appendix A



Environmental Protection and Growth Management Department
DEVELOPMENT AND ENVIRONMENTAL REGULATION DIVISION
1 North University Drive, Suite 201 • Plantation, Florida 33324-2020
TEL 954-519-1483 • FAX 954-519-1496

EXHIBIT B

Page 1 of 25

June 18, 2009

Tri-County Commuter Rail Authority
Attention: Daniel R. Mazza, Director of Engineering & Construction
800 N.W. 33rd Street, Suite 100
Pompano Beach, FL 33064

RE: Tri-Rail: Cypress Creek Station West Parking Lot
City of Fort Lauderdale, S/T/R (10-49-42)

This is to notify you of the Environmental Protection Department's (EPD) action concerning your application received 01/27/2009. The application has been reviewed for compliance with the following requirements:

ERP Review - GRANTED

EPD has the authority to review the project for compliance with Rule 40E-1.603 and Chapter 40E-40 of the Florida Administrative Code pursuant to an agreement between EPD, DEP and the SFWMD. The agreement is outlined in a document entitled "DELEGATION AGREEMENT AMONG THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, AND BROWARD COUNTY."

Based on the information submitted, Environmental Resource Standard General Permit No. 06-05799-P was issued on 06/18/2009.

Broward County Surface Water Management Review - GRANTED

EPD has reviewed the project for compliance with the Surface Water Management requirements of Chapter 27, Article V Sec. 27-191 through 27-202 of the Broward County Code.

Based on the information submitted, Surface Water Management License No. SWM2009-030-0 was issued on 06/18/2009. The above named licensee is hereby authorized to perform the work or operate the facility shown on the approved drawing(s), plans, documents and specifications, as submitted by licensee, and made a part hereof.

Please be advised that no Certificate of Occupancy can be issued on this project until released, in writing, by all EPD divisions as required. Such release will be pending approval of any engineering certifications required by specific condition No. 15.

The above referenced approvals will remain in effect subject to the following:

1. Not receiving a filed request for a Chapter 120, Florida Statutes administrative hearing;
2. the attached SFWMD General Conditions;
3. the attached SFWMD Special Conditions;
4. the attached Broward County General Conditions;
5. the attached Broward County Specific Conditions;
6. the attached 9 exhibits.

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the attached "Notice of Rights", we will assume you concur with the action taken by EPD.

EXHIBIT B

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a "Notice of Rights" has been mailed to the Permittee (and the persons listed in the attached distribution list) no later than 5:00 p.m. on 06/18/2009, in accordance with Section 120.60 (3), Florida Statutes.

By: Leonard Vialpando, P.E.
Leonard Vialpando, P.E.
Surface Water Management Licensing Section

Enclosed are the following:

- executed staff report;
- set(s) of stamped and approved plans;
- application fee receipts;
- Notice of Rights; and
- Inspection Guidelines Brochure.



ENVIRONMENTAL PROTECTION DEPARTMENT - Water Resources Division
Mailing Address: 115 South Andrews Avenue, Room A-240 • Fort Lauderdale, Florida 33301 954-519-1270 • FAX 954-519-1496

“What to Expect When We Are Inspecting Surface Water Management Systems”

A guideline for engineers, contractors, and licensees of surface water management systems pertaining to the release of certificates of occupancy.

The intent of this document is to establish some guidelines to achieve compliance with the Code while maximizing customer service needs to licensees and their agents and the local building departments by facilitating the Certificate(s) of Occupancy (CO) release procedure for building projects. It is also our intent of this document to encourage licensees and their agents and the local building departments to not put our inspection staff on the “critical path”. *We recognize that the local building departments must adhere to the requirements of the South Florida Building Code and the requirements of Article I of the Broward County Natural Resource Protection Code.*

The Water Resources Division - Surface Water Management Licensing program has the responsibility of reviewing designs, licensing, and inspecting surface water management systems within portions of Broward County under the provisions of the Broward County Natural Resource Protection Code, Chapter 27, Section 27-191 through Section 27-201. This includes enforcement for the purpose of protecting our natural resources. This document contains specific information about the Division's surface water management inspection procedures, review of record/as-built drawings, and time required to complete the procedure successfully. We hope that you find this information useful and welcome your input to improve the process. Please be advised this document may be included with the approved license and may be modified on an as needed basis. Extra copies may be made available at your request.

The following certification package must be submitted at least two (2) weeks prior to the anticipated date of occupancy - exceptions may be made on a case by case basis. Note: Items 1 & 2 are not applicable to plans stamped as General Licenses (GL##-###). Items 3 & 4 can apply to GL if plans are stamped for construction certification.

1. Final Record/As-built Drawings (**hard copy & AutoCad/electronic format**) of the Site and Lake/Canal Slopes (where applicable),
2. Final Record/As-built Drawings of the Control Structure(s) or Overflow Structure(s) (where applicable),
3. Signed and Sealed Letter from a Florida Registered Professional Engineer Certifying All Components of the Surface Water Management System Were Constructed in Substantial Conformance with the DPEP Approved Plans, and
4. A \$100 partial certification fee (fees are subject to change) when a partial certification is submitted. *The certifying engineer must indicate that a substantial amount of the water management system has been constructed to serve the partial phase to satisfy the water quality and water quantity requirements of the Code and exactly which lots/buildings are requested for release.*

Staff will perform an inspection on a first come first served basis of the above items. A successful submittal of the required items will prevent unwanted delays in the inspection and CO release processes.

WHAT WE LOOK FOR DURING THE RECORD/AS-BUILT DRAWING REVIEW AND DURING THE INSPECTION:

1. The engineer's letter must contain the appropriate certification language. The suggested wording is located in the Code and in the specific conditions of the license. The letter must be signed and sealed. *It is imperative that the engineer of record describe any minor modifications to the system that were made during the construction of the project.* However, substantial modifications must have received prior approval by DPEP.
2. In addition to rim, manhole, & pipe invert elevations, the plans should contain a substantial amount of survey information to show that the site grades and perimeter grades were constructed in substantial conformance with the DPEP approved plans.
3. If part of the approved system, lake & canal slope as-built plans should contain a substantial number of cross sections (a minimum of 1 section per 50 linear feet is preferred) to show compliance with the Department's slope criteria. *The staff reserves the right to require additional slope cross sections as necessary as well as slope regrading.* Surface area calculations at the control elevation should be submitted for lakes.
4. Control structure or overflow structure information must show all (as-built) dimensions and elevations.
5. All catch basin & manhole structures must have appropriate mudwork to prevent seepage that could lead to structure/asphalt failures & subsequent turbidity violations.
6. All catch basins, manholes, & pipes must be relatively free of sediment & debris and must be accessible to staff. Arrangements should be made with staff for inspecting basins that are covered with fabric materials for sediment control purposes. Fabric must be removed by the licensee or other appropriate personnel prior to the inspection.
7. Lake, canal, swale, dry detention/retention area slopes must be stabilized through appropriate measures, i.e, no evidence of erosion or sedimentation should be encountered during the inspection. Arrangements should be made with staff with regards to timeliness of sodding or seeding slopes and bottoms of dry detention/retention areas.
8. All baffle mechanisms must be water tight at all contact surfaces of basin walls by a durable gasket device.

Successful compliance with the above items will insure a timely release of the of Certificate(s) of Occupancy from division staff.

Upon completion of the field inspection, arrangements with inspection staff will be made to correct all observed field deficiencies. With your cooperation, Certificate(s) of Occupancy will be released upon correction of all field deficiencies.

NOTICE OF RIGHTS

As required by Sections 120.569(1), and 120.60(3), Fla. Stat., following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla Stat. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or 2) within 14 days of service of an Administrative Order pursuant to Subsection 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the District has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

Filing Instructions

The Petition must be filed with the Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. Filings by e-mail will not be accepted. Any person wishing to receive a clerked copy with the date and time stamped must provide an additional copy. A petition for administrative hearing is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Any document received by the office of the SFWMD Clerk after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the SFWMD Clerk, P.O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by facsimile must be transmitted to the SFWMD Clerk's Office at (561) 682-6010. Pursuant to Subsections 28-106.104(7), (8) and (9), Fla. Admin. Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

ENVIRONMENTAL RESOURCE PERMIT

40e-4.321 Duration of Permits

(1) Unless revoked or otherwise modified, the duration of an environmental resource permit issued under this chapter or Chapter 40E-40, F.A.C. is as follows:

(a) For a conceptual approval, two years from the date of issuance or the date specified as a condition of the permit, unless within that period an application for an individual or standard general permit is filed for any portion of the project. If an application for an environmental resource permit is filed, then the conceptual approval remains valid until final action is taken on the environmental resource permit application. If the application is granted, then the conceptual approval is valid for an additional two years from the date of issuance of the permit. Conceptual approvals which have no individual or standard general environmental resource permit applications filed for a period of two years shall expire automatically at the end of the two year period.

(b) For a conceptual approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government comprehensive plan amendment, the duration of the conceptual approval shall be two years from whichever one of the following occurs at the latest date:

1. the effective date of the local government's comprehensive plan amendment.
2. the effective date of the local government development order.
3. the date on which the District issues the conceptual approval, or
4. the latest date of the resolution of any Chapter 120.57, F.A.C., administrative proceeding or other legal appeals.

(c) For an individual or standard general environmental resource permit, five years from the date of issuance or such amount of time as made a condition of the permit.

(d) For a noticed general permit issued pursuant to chapter 40-E-400, F.A.C., five years from the date the notice of intent to use the permit is provided to the District.

(2)(a) Unless prescribed by special permit condition, permits expire automatically according to the timeframes indicated in this rule. If application for extension is made in writing pursuant to subsection (3), the permit shall remain in full force and effect until:

1. the Governing Board takes action on an application for extension of an individual permit, or
2. staff takes action on an application for extension of a standard general permit.

(b) Installation of the project outfall structure shall not constitute a vesting of the permit.

(3) The permit extension shall be issued provided that a permittee files a written request with the District showing good cause prior to the expiration of the permit. For the purpose of this rule, good cause shall mean a set of extenuating circumstances outside of the control of the permittee. Requests for extensions, which shall include documentation of the extenuating circumstances and how they have delayed this project, will not be accepted more than 180 days prior to the expiration date.

(4) Substantial modifications to Conceptual Approvals will extend the duration of the Conceptual Approval for two years from the date of issuance of the modification. For the purposes of this section, the term "substantial modification" shall mean a modification which is reasonable expected to lead to substantially different water resource or environmental impacts which require a detailed review.

(5) Substantial modifications to individual or standard general environmental resource permits issued pursuant to a permit application extend the duration of the permit for three years from the date of issuance of the modification. Individual or standard general environmental resource permit modifications do not extend the duration of a conceptual approval.

(6) Permit modifications issued pursuant to subsection 40E-4.331 (2)(b), F.A.C. (Letter modifications) do not extend the duration of a permit.

(7) Failure to complete construction or alteration of the surface water management system and obtain operation phase approval from the District within the permit duration shall require a new permit authorization in order to continue construction unless a permit extension is granted.

Initiation of an Administrative Hearing

Pursuant to Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the District's Governing Board takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Fla. Admin. Code, unless otherwise provided by law.

Mediation

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-.405, Fla. Admin. Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Sections 120.60(3) and 120.68, Fla. Stat., a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

SFWMD General Conditions

1. All activities authorized by this permit shall be implemented as set forth in the plans, specifications, and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit and Part IV, Chapter 373, F.S.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which does not cause violations of State water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of State water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), incorporated by reference in Rule 40E-4.091, F.A.C. unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter, the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
4. The permittee shall notify the District of the anticipated construction start date within 30 days of the date that this permit is issued. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District an Environmental Resource Permit Construction Commencement Notice Form Number 0960 indicating the actual start date and the expected construction completion date.
5. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an annual status report form. Status report forms shall be submitted the following June of each year.
6. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the supplied Environmental Resource Permit Construction Completion/Certification Form Number 0881. The statement of completion and certification shall be based on onsite observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the District that the system is ready for inspection. Additionally, if deviation from the approved drawings is discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "As-built" or "Record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor.
7. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of condition (6) above, has submitted a request for conversion of Environmental Resource Permit from Construction Phase to Operation Phase, Form No. 0920; the District determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the District in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District (August 1995) accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 40E1.6107, F.A.C., the permittee shall be liable for compliance with the terms of the permit.
8. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.

9. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the District along with any other final operation and maintenance documents required by Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit applications within the South Florida Water Management District (August 1995), prior to lot or unit sales or prior to the completion of the system, whichever occurs first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State, where appropriate. For those systems which are proposed to be maintained by the County or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.
10. Should any other regulatory agency require changes to the permitted system, the permittee shall notify the District in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.
11. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C.
12. The permittee is hereby advised that Section 253.77, F.S. stated that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the State, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereign lands or other state-owned lands.
13. The permittee must obtain a Water Use permit prior to construction dewatering, unless the work qualifies for a General Permit pursuant to Subsection 40E-20.302(4), F.A.C., also known as the "No Notice" Rule.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the permit.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding, unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.
16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rules 40E-1.6105 and 40E-1.6107, F.A.C.. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate District service center.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

EXHIBIT B

10/25

SFWMD Special Conditions

1. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
2. Measures shall be taken during construction to insure that sedimentation and/or turbidity problems are not created in the receiving water.
3. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
4. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
5. The conditions outlined in the Broward County Specific Conditions section, except where language specifically relates to Broward County Code, are incorporated into these SFWMD Special Conditions.
6. Operation of the surface water management system shall be the responsibility of permittee.

Broward County General Conditions

1. The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and must be completed by the licensee and are enforceable by the Environmental Protection Department (EPD) pursuant to Chapter 27 of the Broward County Code of Ordinances. The EPD will review this license periodically and may revoke or suspend the license, and initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives.
2. This license is valid only for the specific uses set forth in the license application and any deviation from the approved uses may constitute grounds for revocation, suspension, and/or enforcement action by the EPD.
3. In the event the licensee is temporarily unable to comply with any of the conditions of the license or with this chapter, the licensee shall notify the EPD within eight (8) hours or as stated in the specific section of this chapter. Within three (3) working days of the event, the licensee shall submit a written report to EPD that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention regarding the repair, replacement and reconstruction of destroyed facilities and a schedule of events leading toward operation with the license condition.
4. The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations.
5. This license must be available for inspection on licensee's premises during the entire life of the license.
6. By accepting this license, the licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this licensed facility or activity, that are submitted to the EPD, may be used by the EPD as evidence in any enforcement proceeding arising under Chapter 27 of the Broward County Code of Ordinances, except where such use is prohibited by Section 403.111, Florida Statutes.
7. The licensee agrees to comply with Chapter 27 of the Broward County Code of Ordinances, and shall comply with all provisions of the most current version of this chapter, as amended.
8. Any new owner or operator of a licensed facility shall apply by letter for a transfer of license within thirty (30) days after sale or legal transfer. The transferor shall remain liable for performance in accordance with the license until the transferee applies for and is granted a transfer of license. The transferee shall be liable for any violation of Chapter 27 that results from the transferee's activities. The transferee shall comply with the transferor's original license conditions when the transferee has failed to obtain its own license.
9. The licensee, by acceptance of this license, specifically agrees to allow access and shall allow access to the licensed source, activity or facility at times by EPD personnel for the purposes of inspection and testing to determine compliance with this license and Chapter 27 of the Broward County Code of Ordinances.
10. This license does not constitute a waiver or approval of any other license, approval, or regulatory requirement by this or any other governmental agency that may be required.
11. Enforcement of the terms and provisions of this license shall be at the reasonable discretion of EPD, and any forbearance on behalf of EPD to exercise its rights hereunder in the event of any breach by the licensee, shall not be deemed or construed to be a waiver of EPD's rights hereunder.

Broward County Specific Conditions

EXHIBIT B

12/25

1. The licensee shall allow authorized personnel of the EPD, municipality or local water control district to conduct such inspections at reasonable hours, as are necessary to determine compliance with the requirements of the license and the approved plans and specifications.
2. The responsible entity shall agree to maintain the operating efficiency of the water management works. Except in cases where the responsible entity is a governmental agency, the agreement shall further require that if the water management works is not adequately maintained, the County may undertake the required work and bill all associated costs to the responsible entity. If the payment for such obligations is not satisfied within 30 days, said obligation shall become a lien against the property associated with the water management works. Where ownership of the water management works is separate from property ownership, the EPD shall require these agreements to be recorded.
3. The licensee shall prosecute the work authorized in a manner so as to minimize any adverse impact of the works on fish, wildlife, natural environmental values, and water quality. The licensee shall institute necessary measures during the construction period, including fill compaction of any fill material placed around newly installed structures, to reduce erosion, turbidity, nutrient loading and sedimentation in the receiving waters. Any erosion, shoaling or deleterious discharges due to permitted actions will be corrected promptly at no expense to the County.
4. The licensee shall comply with all applicable local land use and subdivision regulations and other local requirements. In addition, the licensee shall obtain all necessary Federal, State, local and special district authorizations prior to the start of any construction alteration of works authorized by this license.
5. Offsite discharges during construction and development shall be made only through the facilities authorized by this license. Water discharged from the project shall be through structures having a mechanism for regulating upstream water stages. Stages may be subject to operating schedules satisfactory to the appropriate regulatory agency.
6. The licensee shall hold and save the County harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance or use of any facility authorized by the license.
7. The license does not convey property rights nor any rights or privileges other than those specified therein.
8. No construction authorized by the license shall commence until a responsible entity acceptable to the EPD has been established and has agreed to operate and maintain the efficiency of the system. The entity must be provided with sufficient ownership so that it has control over all water management facilities authorized therein. Upon receipt of written evidence of the satisfaction of this condition, the EPD will issue authorization to commence the construction.
9. No beautification, or erection of any structure that will prohibit or limit access of maintenance equipment or vehicles in the right-of-way or easements will be allowed.
10. Any license which grants any entity the permission to place a structure on property which is owned by Broward County or upon which Broward County has an easement shall be construed to create a revocable license for that structure to remain on the property. Broward County may require removal of such a structure at no cost to the County.
11. The area under license will be maintained in a safe and operating condition at all times. Equipment will be promptly removed from the right-of-way or easement and the right-of-way or easement will be restored to its original or better condition within a reasonable time on termination of the authorized use.
12. The EPD will be notified, as required in the license or as indicated on the approved plans, to coordinate and schedule inspections.
13. The operation or construction will be in accordance with the approved details and plans submitted with the application. Any modification must be submitted to the EPD in writing and receive prior approval.
14. Monitoring may be required for sites with high pollutant generating potential, such as industrial sites, Class I and II solid waste disposal sites, and projects discharging to areas identified in Section 27-200 (b) (1) (c). Such monitoring will be under the cognizance of the EPD.

15. Upon completion of the construction of a surface water management system or phase thereof licensed by the Water Resources Division, it is a requirement of the issuance of the license, and hence transfer of operation and maintenance responsibility, that a Florida Registered Professional Engineer certify that the surface water management system was indeed constructed as licensed. Certified record drawings shall accompany the certification. Suggested wording for this is as follows:

I HEREBY CERTIFY TO THE CONSTRUCTION COMPLETION OF ALL THE COMPONENTS OF THE SURFACE WATER MANAGEMENT FACILITIES FOR THE ABOVE REFERENCES PROJECT AND THAT THEY HAVE BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE BROWARD COUNTY WATER RESOURCES DIVISION, AND HEREBY AFFIX MY SEAL THIS _____ DAY OF _____, 20____.

(SEAL)

16. Water management areas shall be legally reserved to the operation entity and for that purpose by dedication on the plat, deed restrictions, easements, etc., so that subsequent owners or others may not remove such areas from their intended use. Management areas, including maintenance easements, shall be connected to a public road or other location from which operation and maintenance access is legally and physically available.

17. The licensee shall notify the Water Resources Division in writing within twenty-four (24) hours of the start, finish, suspension, and/or abandonment of any construction or alteration of works authorized by this license.

18. A prorated share of surface water management retention/detention areas, sufficient to provide the required flood protection and water quality treatment, must be provided prior to occupancy of any building or residence.

19. The operation license shall be valid for a specific period of time not to exceed five (5) years from the date the license is transferred to the operation phase. The operation license shall be renewed in accordance with Section 27 - 198 (d) (2) of the Article.

20. The Water Resources Division reserves the right to require additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.

21. This permit does not constitute the approval required by Section 27-353(i), Broward County Code, to conduct dewatering operations at or within one-quarter mile radius of a contaminated site. Please contact the Pollution Prevention and Remediation Division at (954) 519-1260 for further information.

22. The licensee shall keep a log of the operation and maintenance schedule for all components of the surface water management system.

23. The surface water management system must be inspected by the Water Resources Division to verify compliance with Specific Condition No. 15 of the license. In accordance with the Broward County Natural Resource Protection Code, Article I, Sec. 27-66 (f), the County agency or municipal agency charged with issuing a certificate of occupancy (CO) shall not issue a CO until notified of the EPD approval. Partial certifications will be handled in accordance with Specific Condition No. 18.

24. The licensee is advised that he/she is required to submit a Storm Water Notice of Intent (NOI) application at least 48 hours prior to the commencement of construction to the Florida Department of Environmental Protection, NPDES Stormwater Notices Center, MS #2510 at 2600 Blair Stone Road - Tallahassee, Florida 32399-2400.

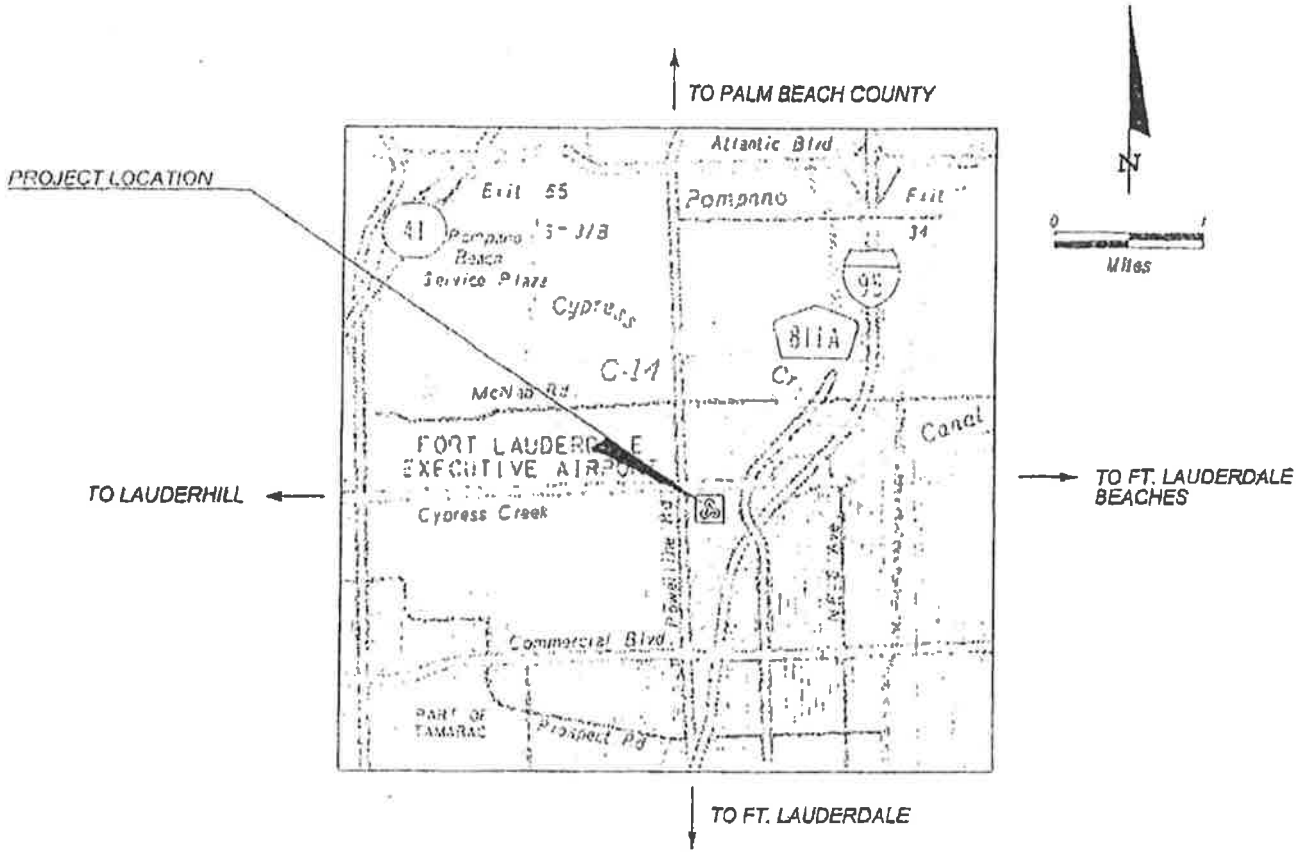


Exhibit B
1

STAFF REPORT

Project Name: Tri-Rail: Cypress Creek Station West Parking Lot

Permit Number: 06-05799-P **License Number:** SWM2009-030-0

Application Number: 090127-10 **Concurrent Application:** L2009-009

Application Type: New Environmental Resource

Location: Broward County **Section-Township-Range:** 10-49-42

Permittee's Name: Tri-County Commuter Rail Authority

Project Area: 5.81 acres **Drainage Area:** 5.81 acres

Project Land Use: Commercial

Drainage Basin: C-14

Receiving Body: On-site Retention

Purpose:

The construction and operation of a surface water management system to serve a proposed 5.81 acre Tri-Rail Authority facility where a new parking is proposed.

Project Evaluation:

Project Site Description:

The site is presently undeveloped and is located south of Cypress Creek Road and west of the CSX Rail Road tracks.

Proposed Project Design:

The proposed construction will include 3.65 acres of paved/parking area and the proposed drainage system. A system of inlets and culverts will direct the storm runoff to 0.97 acres of dry retention areas for water quality treatment and storm runoff attenuation. The applicant's consultant has demonstrated through plans and calculations that no adverse water quantity impacts will occur as a result of the proposed project.

Control Elevation:

<u>Basin Name</u>	<u>Area</u>	<u>Ctrl Elevation</u>	<u>WSWT Ctrl Elevation</u>	<u>Method of Determination</u>
Tri-Rail Cypress Creek	5.81 acres	4 ft, NGVD	4 ft, NGVD	BC Avg. Wet Season Water Table Map

Discharge Rate:

The project will be bermed to elevation 9.20' NGVD, above the 25-Year, 3-day zero discharge stage.

<u>Frequency</u>	<u>Rainfall</u>	<u>Basin Name</u>	<u>Allowable Disch.</u>	<u>Method of Determination</u>	<u>Peak Disch.</u>	<u>Peak Stage</u>
25YR-3DAY	15.4 in.	Tri-Rail Cypress Cr	0 cfs	C-14 Canal 69.2 CSM	0 cfs	8.24' NGVD

Finished Floors:

<u>Frequency</u>	<u>Rainfall</u>	<u>Basin Name</u>	<u>Peak Stage</u>	<u>Prop. Min. Fin. Floors</u>	<u>BC 100-yr Map Elev.</u>
100YR-3DAY	18.7 inches	Tri-Rail Cypress Creek S	9.07' NGVD	N/A	9.1' NGVD

Water Quality Design:

Water quality treatment will be provided in the dry retention area for 2.5 inches times the percent impervious over the entire site.

<u>Basin Name</u>	<u>Treatment Type</u>	<u>Treatment Method</u>	<u>Volume Required</u>	<u>Volume Provided</u>
Tri-Rai Cypress Creek Sta. V Treatment		Dry Retention	0.77 ac-ft	0.77 ac-ft
			Total: 0.77 ac-ft	

Environmental Summary:

No wetland areas were identified within the project area and no wetland impacts are anticipated from the development of this parcel. Therefore, no wetland mitigation requirements have been included in the permit for this project.

The proposed activities have been evaluated for potential secondary and cumulative impacts and to determine if the project is contrary to the public interest. Based upon the proposed project design, EPD has determined that the project will not cause adverse secondary or cumulative impacts to the water resources and is not contrary to the public interest.

EXHIBIT B 2B

EXHIBIT B

12/25

Special Concerns:

Operating Entity: Tri-County Commuter Rail Authority
Attention: Daniel R. Mazza, Director of Engineering & Construction
800 N.W. 33rd Street, Suite 100
Pompano Beach, FL 33064

Waste Water System/Supplier: G.T. Lohmeyer

Exhibit 2c


STAFF RECOMMENDATION:

South Florida Water Management District and Broward County rules have been adhered to and a General Permit should be granted.

SWM2009-030-0, STAFF REVIEW:

Water Resources Division:


John Badalamenti


FDR Leonard Vialpando, P.E.

Biological Resources Division:


Linda Sunderland, Manager

EXHIBIT B 20

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
BROWARD COUNTY**

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

ERP PERMIT SET

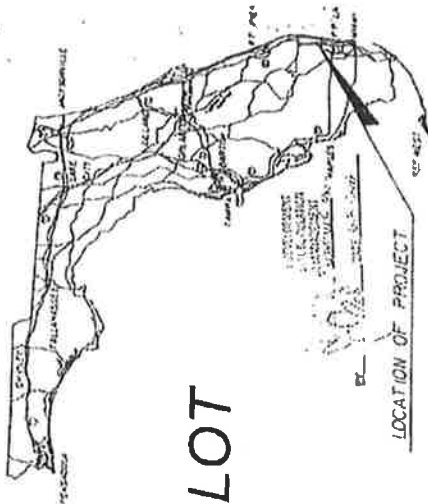
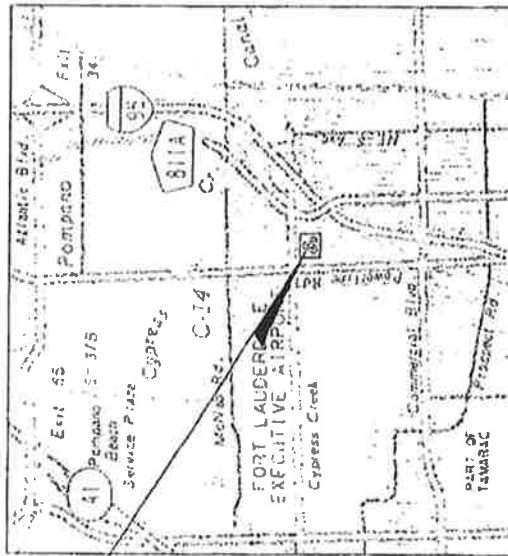
CYPRESS CREEK WEST PARKING LOT

100% SUBMITTAL
MAY 5th, 2009

INDEX OF DRAWINGS

- GENERAL**
- G-001 KEY SHEET
 - G-002 GENERAL NOTES
 - G-003 EXISTING CONDITIONS PLAN
- CIVIL**
- C-101 SITE AND PAVING PLAN
 - C-102 SITE PLAN DETAILS (1)
 - C-103 SITE PLAN DETAILS (2)
 - C-104 SITE PLAN DETAILS (3)
 - C-201 GRADING & DRAINAGE PLAN
 - C-202 SUMMARY OF DRAINAGE STRUCTURES
 - C-203 STORM WATER POLLUTION PREVENTION PLAN

PROJECT LOCATION



LOCATION OF PROJECT

WARNING
CONSTRUCTION OF THIS PROJECT MAY AFFECT THE OPERATION OF THE STATE TURNPIKE SYSTEM. ALL TRAVELERS SHOULD BE ADVISED TO TAKE ALTERNATE ROUTES TO AVOID DELAYS AND CONGESTION.

PLANS PREPARED BY:
PB PB Americas, Inc.
1100 CORPORATE CENTER DRIVE
SUITE 2000
MIAMI, FLORIDA 33186

FOR INFORMATION: FIDUCIARY
CERTIFICATE OF AUTHORIZATION No. 0000



SEPTA CONTACT: JUNE 2009, P.E.
PHONE: 351-942-7245

AN PROJECT NO. 14552A

DESIGNED BY: [Signature]
ENGINEER OF RECORD: [Signature]
STANDARD DRAWING: [Signature]

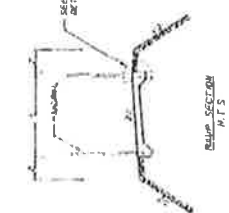
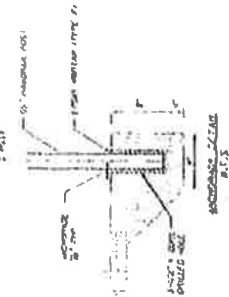
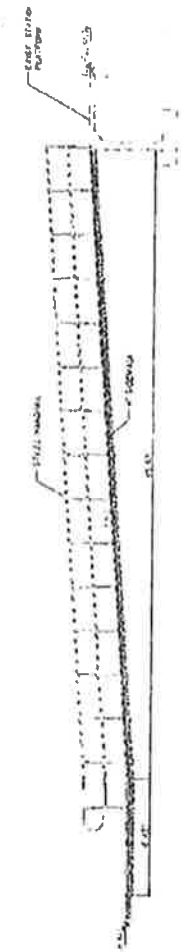
EXHIBIT B 19/25

3

NO.	DATE	REVISION

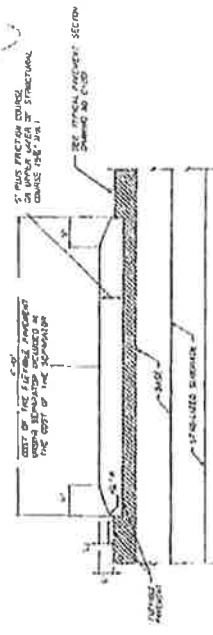
EXHIBIT B

2/1/85

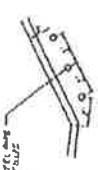
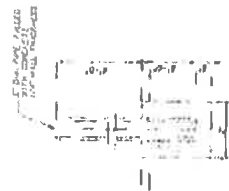


SEE ANCHORAGE DETAIL

SEE ANCHORAGE DETAIL

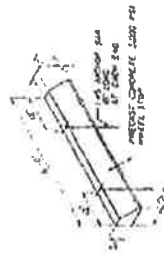


SEE ATTACHMENT SECTION

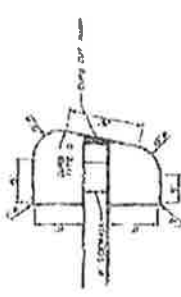
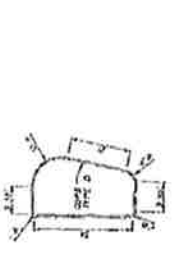


SEE BOLLARD DETAIL

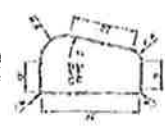
- NOTES:
1. PROVIDE 4" MIN. CLEARANCE BETWEEN POST AND CURB FACE.
 2. ALL CONCRETE SHALL HAVE A MIN. COMPRESSIVE STRENGTH OF 3000 PSI.
 3. REINFORCEMENT SHALL BE #4 BARS WITH 12" ON CENTER.
 4. ALL REINFORCEMENT SHALL BE WELDED TO THE CURB FACE.
 5. ALL REINFORCEMENT SHALL BE WELDED TO THE CURB FACE.
 6. ALL REINFORCEMENT SHALL BE WELDED TO THE CURB FACE.



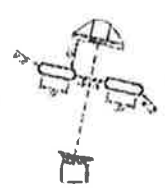
WHEEL STOP DETAIL



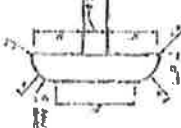
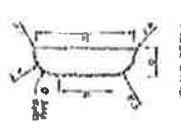
SEE BOLLARD DETAIL



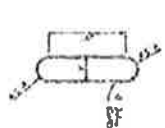
SEE BOLLARD DETAIL



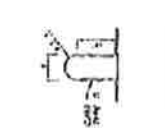
SEPARATOR DETAIL



SEE BOLLARD DETAIL



SEE BOLLARD DETAIL



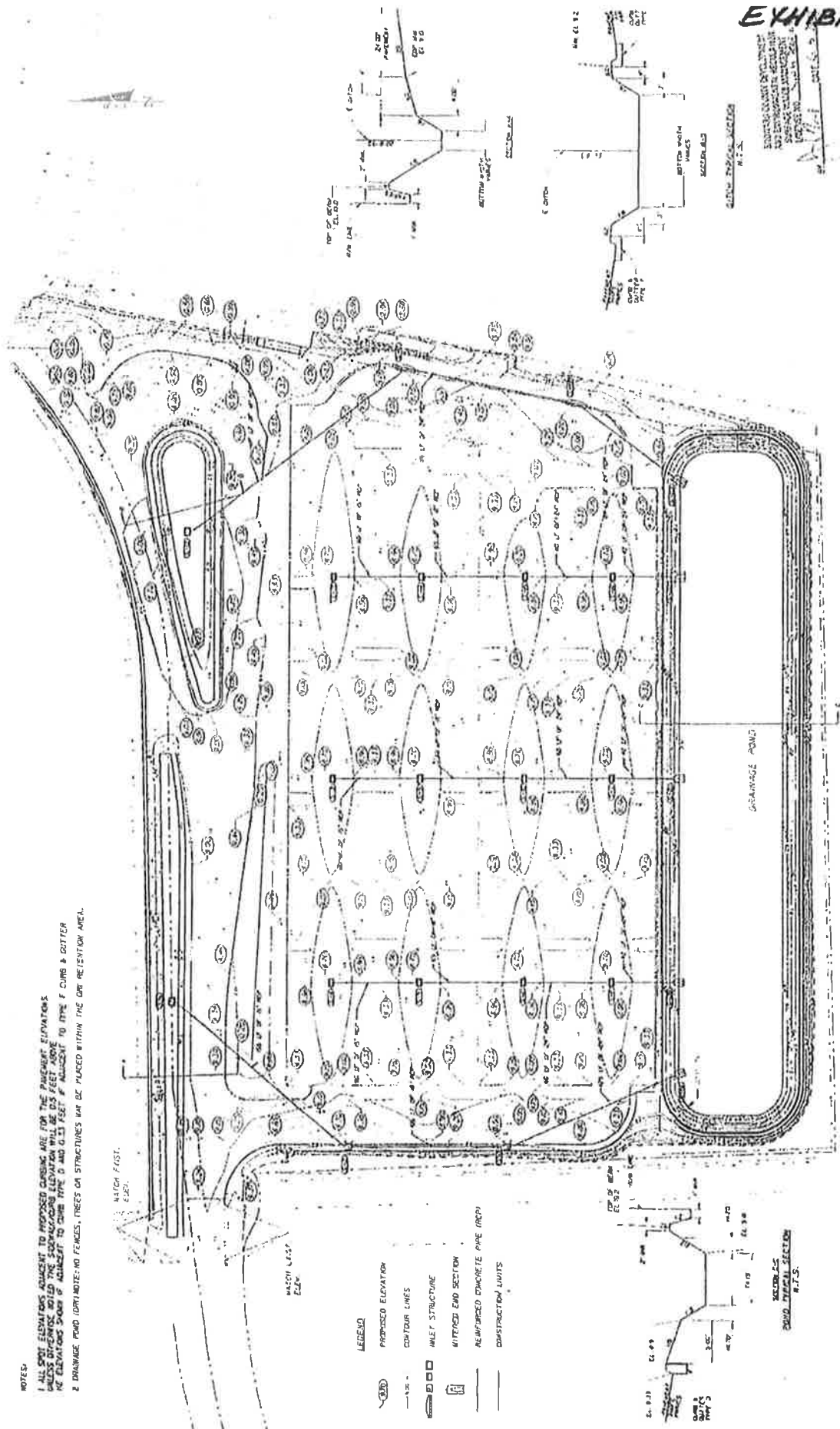
SEE BOLLARD DETAIL

RTA REGIONAL TRANSIT AUTHORITY		CITRUS CROSS STATION WEST PARKING LOT	
DESIGNED BY: [Signature]		SITE PLAN DETAILS (1)	
CHECKED BY: [Signature]		DATE: 2/1/85	
PROJECT NO. 88-001		DRAWING NO. 88-001-01	
SCALE: AS SHOWN		SHEET NO. 1 OF 1	
DATE: 2/1/85		BY: [Signature]	

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23/25

EXHIBIT B



NOTES:
 1. ALL SPOT ELEVATIONS SUBJECT TO PROPOSED CURBS. USE FOR THE PROPOSED ELEVATIONS UNLESS OTHERWISE NOTED. THE SUBPARALLEL ELEVATION WILL BE 0.5 FEET ABOVE THE ELEVATION SHOWN IF ADJUSTED TO CURB TYPE D AND 0.33 FEET IF ADJUSTED TO TYPE F CURB & GUTTER.
 2. DRAINAGE POND (DRAINAGE) NO FENCES, TREES OR STRUCTURES MAY BE PLACED WITHIN THE DRAINAGE RETENTION AREA.

- LEGEND
- PROPOSED ELEVATION
 - - - CONTOUR LINES
 - INLET STRUCTURE
 - MIRRORED END SECTION
 - REINFORCED CONCRETE PIPE (RCP)
 - CONSTRUCTION LIMITS

RTA		CITRUS CREEK STATION WEST PARKING LOT GRADING & DRAINAGE PLAN	
DATE	11.14.08	SCALE	AS SHOWN
DESIGNED BY	...	CHECKED BY	...
DRAWN BY	...	APPROVED BY	...
PROJECT NO.	...	DATE	11.14.08
PROJECT NAME	...	PROJECT LOCATION	...
PROJECT NUMBER	...	PROJECT SHEET	...
PROJECT DESCRIPTION	...		

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**STAFF REPORT DISTRIBUTION LIST
ADDRESSES**

Owner:

Tri-County Commuter Rail Authority
Attention: Daniel R. Mazza, Director of
Engineering & Construction
800 N.W. 33rd Street, Suite 100
Pompano Beach, FL 33064

Applicant:

Tri-County Commuter Rail Authority
Attention: Daniel R. Mazza, Director of
Engineering & Construction
800 N.W. 33rd Street, Suite 100
Pompano Beach, FL 33064

Engineering

Consultant:

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EXHIBIT B 9

Appendix B

Stakeholder Involvement

As a part of the data collection effort and project management task, stakeholder interviews were held with various public and private organization representatives to better understand existing opportunities and constraints as they relate to the Cypress Creek Mobility Hub Master Plan. Interviews were conducted in late January and early February, 2015, either individually or in small groups.

The individuals who were interviewed are listed alphabetically below, along with the agency or organization that they represent and the date of the interview session.

- Diana Alarcon – City of Fort Lauderdale (February 27th, 2015)
- Barbara Blake-Boy – Broward County Planning (February 17th, 2015)
- Scott Brunner – Broward County Traffic Engineering (January 26th, 2015)
- Bill Cross – SFRTA (February 17th, 2015)
- Guy Desautels** – Citrix (February 9th, 2015)
- Christine Fanchi – City of Fort Lauderdale (February 27th, 2015)
- Cary Goldberg – Envision Uptown (January 27th, 2015)
- Chris Gratz – City of Oakland Park (January 27th, 2015)
- Debora Griner – City of Fort Lauderdale (February 27th, 2015)
- Zach Gruber – Banyan Street Capital (January 26th, 2015)
- Israel Hernandez – Broward County Transit (January 26th, 2015)
- Jim Hetzel – City of Fort Lauderdale (January 27th, 2015)
- Mason Jackson** – Career Source Broward (January 28th, 2015)
- Dana Pollitt – Envision Uptown (January 26th, 2015)
- Sam Poole – Envision Uptown (January 27th, 2015)
- John Portera – FDOT (January 26th, 2015)
- John Ramos – Broward County Transit (January 26th, 2015)
- Karen Reese – City of Fort Lauderdale / FXE (January 26th, 2015)
- Henry Sniezek – Broward County Planning (February 17th, 2015)
- Nicholas Sofoul – Broward County Transit (January 26th, 2015)
- Greg Stuart – Broward MPO (February 17th, 2015)

** represents interview conducted over the phone**

It should be noted that the purpose of these interviews was to gather a variety of anecdotal input with regard to the physical conditions, transportation conditions and market conditions in the area generally surrounding the Cypress Creek Tri-Rail station, including the SFRTA-owned parcel that currently accommodates a park-and-ride lot serving the station. Discussions ranged from the general to the specific, based upon the interests and knowledge base of the individuals interviewed. No concerns or ideas were considered “off the table” during these discussions, and information and opinions provided were recorded to generate an overall understanding of stakeholder concerns and priorities.

Concurrent with this task, the planning team is conducting due diligence regarding existing physical, transportation and market conditions, which will be documented under a separate cover. Information summarized here, as provided by interview participants, may differ from data collected and documented elsewhere. This memorandum serves only to paraphrase and succinctly record what was shared during the stakeholder interview sessions, and to assist in understanding the key underlying concerns and ideas that should be considered as the team develops planning recommendations for the future of the SFRTA-owned parcel.

The stakeholder interview summaries are organized below.

SFRTA-owned Parcel

- New parking lot opened in 2010
- Less than 50% of the existing 345 spaces are used on an average weekday
 - The number of spaces was based on a 20 year design horizon
 - These spaces must be accommodated in any future development plan, due to use of federal funding for their construction
 - There are other stations with park-and-ride lots that also overestimated demand
 - Question was raised as to whether federal funds could be used to build a new parking structure for Tri-Rail since the existing surface lot was already paid for with federal dollars
- Car-sharing and/or bike-sharing programs should be explored to compliment Tri-Rail service
- Any proposed development would require a Land Use amendment because the site and its surroundings are currently designated on the land use plan as industrial
 - The City should consider an area wide overlay zone (for the general study area) instead of just for this site to help attract development by reducing parking requirements and facilitating shared parking
 - An area-wide land use plan amendment should also be considered; the Broward TOD category allows mixed use and two non-residential components
 - There was some discussion regarding the potential for developing a new form-based code that can be applied to the greater Cypress Creek area, including the SFRTA-owned parcel

- There was concern about the height restriction of whatever development is proposed for the site because of the nearby airport, especially if residential is proposed; concerns were from a noise perspective more so than a safety perspective
 - The City would likely require a contract term be included clarifying that buyers would not have recourse to the City for mitigation of noise concerns after purchase of residential units on this site, or in this area generally
- Tri-Rail wants this to be a showcase TOD station in Broward; there is a need to design for sea level rise as well with stormwater management innovation
- Various plan elements and concepts were suggested including development with new parking structure, and how new development could fit within the height restriction
 - Parking (lower in height) could be on the west side of the parcel with residential uses on the eastern side of the parcel, for example

FDOT-owned Parcel

- FDOT-owned parcel has been seeking interest from private developers for years without much success
 - Most recent proposal was very auto-oriented and not mixed use; transit facilities, a 350-unit residential structure (eight stories) and 5-6 retail outlots would all have been developed separately
 - Previous bids were dropped due to “construction costs, land use discrepancies, etc.”
 - Previous bids planned to use nearly all the flex zoning units available from the City for this area (~391 units)
 - Lessee is currently paying FDOT \$200k/year for lease
- There are plans for future I-95 Express Buses to use this site as a Park-and-Ride lot
 - The most recent development proposal was to maintain 292 of the existing 556 park-and-ride spaces for future use (this meets 2035 demand)
 - This transit service is funded by FDOT
 - Currently, this is the northern most Park-and-Ride lot in the County
- Based on better visibility from I-95 and direct frontage on Cypress Creek, this property has an advantage over the SFRTA parcel in terms of near term development potential, particularly for retail
- Public agencies want to see this site developed
 - Eastern portion of this site falls within the boundary of Oakland Park
 - Western portion of this site falls within the boundary of Fort Lauderdale
- There are mixed opinions over how this site would be best developed
 - Some say best for non-residential uses, others say residential could work
- Options to resolve the long-term ramp access issues to I-95 are ongoing in this area; a small existing on-ramp exists on the FDOT site that is little used

Adjacent Study Area / Planning Context

- 70,000 people come in to the area everyday
- Six higher educational institutions operate in the area
- No major planned development within the study area currently; some office development plans are under review by the City near FXE, and a water park use is planned between Powerline and FXE south of the study area
 - It was suggested that this area is ripe for some residential development
- More amenities in the area would help attract development
 - City Place in West Palm Beach is a good model of what is desired
- Employees at large companies often have on-site lunch options
 - At Citrix, 70% of employees eat lunch on-site, 30% leave and can walk to a few nearby options
- Relaxed parking requirements would help to attract more development
 - Potentially could develop a shared-parking strategy between SFRTA and adjacent properties
 - Putting required parking into a structure to open up green space or additional development area is challenging logistically and financially
 - Robotic garages or other innovative parking strategies should be considered
- There seem to be excess parking lots and underutilized office buildings
 - Parking should be market driven, not code or lender driven
- The University of Phoenix building complex is more highly occupied than other office buildings in the area – 93% occupancy rate
 - The complex provides 1,080 parking spaces (4.5/1,000) with very low utilization; parking demand varies throughout the day due to the night time students
 - Parcel also includes a strip of green space (including a utility easement) extending west to Powerline Rd with no current need for it
 - May be interested in “monetizing” portions of the property, whether individually or in partnership with SFRTA; parking arrangements would need to be negotiated to the satisfaction of both City and lender (lender requires 4/1,000 minimum)
- Oakland Park residents south on Andrews use this area for entertainment trips, but not for daily shopping needs
 - Oakland Park feels disjointed from Cypress Creek because of high speeds / dangerous connection
- City of Fort Lauderdale has other major markets / areas to provide services / funding / efforts, e.g. downtown and the beach; a balance is needed
 - These other two areas have their own CRAs, while the Cypress Creek area does not
 - Need to monitor water and sewer service and capacity because no CIP funding is available for the next five years

- Lift station capacity and aging infrastructure is already an issue at the beachfront; capacity was a concern for the FDOT site

Traffic Related Comments

- Biggest impediment to local streetscape improvements that would improve the pedestrian / bike environment is the existing SB I-95 ramp at Andrews Blvd
 - The existing on-ramp configuration directly from SB Andrews causes significant traffic congestion issues along Cypress Creek and Andrews during peak periods
 - Solutions could include eliminating the ramp altogether and rerouting traffic, or perhaps making it a two-lane ramp entrance to reduce stacking
 - The potential to use the existing on-ramp directly from the FDOT site as an alternative SB access route should be explored, in conjunction with considering future options for the FDOT development site
 - If the existing ramp from Andrews is eliminated, it could open up a little sliver of 'highly visible' FDOT-owned property for development along Andrews Way
- Generally, 300' is needed between a signalized intersection and a mid-block pedestrian crossing
 - This requirement impacts concepts for a potential pedestrian crossing near railroad tracks
- Cypress Creek Rd has excess capacity and could use a "road diet"
 - Designed to carry 80,000 ADT; even future projections into 2035 don't expect volumes over 53,000
 - Streetscape concepts developed for Cypress Creek should reflect the boulevard concept suggested by the ULI TAP
 - Maybe consider an overlay parking district by the City for the area
- Major issue is the congestion that backs up along Cypress Creek Rd because of the queue of traffic accessing the SB I-95 ramp on Andrews Blvd. FDOT plans to install a signal and median break / turn lane to improve station access from Powerline
- A pedestrian-oriented corridor is preferred over the current auto-oriented corridor
 - Would increase market appeal and create a "cool" vibrant environment for young professionals
 - All supportive of enhanced bike /pedestrian connections in the area and greenways to connect between land uses
 - Pedestrian accommodations should include shade and weather protection
 - It was suggested that additional rail crossings would improve mobility options through the area
- The Cypress Creek Tri-Rail station has very poor visibility currently
 - Connecting the platform to Cypress Creek Rd with a linear park-like feature would help to improve visibility and pedestrian accessibility

- A linear connection could also potentially extend across Cypress Creek Rd along the Tri-Rail tracks, providing access into the employment campus and shopping center
- Look into SIS funds as a likely source for funding improvements based on ‘connectivity potential’

Transit Related Comments

- Many expressed how a better urban form in the study area could help to increase transit ridership
- Privately owned NW 6th Way will not at any time in the near future allow buses to use the road, despite BCT’s efforts
- Route 62 on Cypress Creek is improving its peak headway from 40 minutes to 30 minutes in the future; Route 14 (Powerline) and Route 60 (Andrews) are already at 20 minute peak headways
- Bus stops must be a minimum of 50’ from any railroad crossing (near side)
- A bus stop could be created at Andrews Way / Andrews Blvd if the SB I-95 ramp is eliminated or if a queue jump / bus bay lane is created south of Cypress Creek
 - A curbside stop could drop off / pick up riders closer to the station and eliminate the need for all transferring passengers to cross the street
 - Need to pedestrianize the access to the station from Andrews Way; currently riders must walk in the driveway accessing the office building parking garage
- BCT is considering a BRT service along Powerline Rd instead of existing local service – maybe in 5-10 years
- Phase 3 of the I-95 express lanes will extend north from here to Linton in Palm Beach; it is anticipated that FDOT-funded express buses will use these lanes and eventually travel both north and south of Cypress Creek
- Current Uptown Link Shuttles have little to no branding / marketing strategy
 - Ridership has been poor
 - Schedule and route are not clear to potential riders
- BCT riders are often different than Tri-Rail riders based on many factors
 - Transfers occur but are not the primary use pattern
- BCT is developing TOD and Complete Streets guidelines now

Market Related Comments

- SFRTA site could potentially be developed for a hotel or special-service hotel use
- Rental rates for office uses haven’t really increased since late 80s
- Highest vacancy rate for all office submarkets in the County occurs in this area
- No new office uses should be developed here for some time; redevelopment of existing office space is more necessary in short term
- If residential is developed, mixed income options should be included
 - Average employees need average housing costs, not “fancy” TOD

- Look for potential funding sources such as FL housing finance or HUD
- Given typical “break points” for residential construction recently, residential over parking on the SFRTA site would probably need to be either 7 or 12 stories tall; 220-250 units is the typical minimum unit count seen for a feasible project recently
- Currently, major employers indicate the existing workforce within the study area do not usually use Tri-Rail
 - Those that do usually walk to the station instead of waiting for shuttles
 - A lot of the workforce lives further west, needing east-west transit connections which cannot be served by Tri-Rail; premium transit service along Cypress Creek was recommended
- There seems to be a need for more retail or commercial uses –a convenient coffee shop while waiting for the train, supportive uses for potential residential development and existing employees
 - If the residential population increases, needs for a grocery store and service type uses would emerge also
 - Closest grocery store now is south on Powerline
- No real draw to the area on the weekends or after 5pm on the weekdays except maybe the movie theatre and some restaurants; the area is not a major entertainment destination

Preliminary Conclusions

The ideas shared by stakeholders during the interviews suggest a very consistent set of concerns and priorities for the area. Both public and private stakeholders see a benefit to a planning effort that achieves the following:

- Near term interventions in the core area to enhance pedestrian/bicycle mobility, especially across Cypress Creek but also across Andrews
- Increasing both the accessibility and the visibility of Tri-Rail, BCT and local shuttle services, including facilitating the ability to transfer between these modes
- Increasing the mix of uses in the Cypress Creek Corridor, including identifying both short-term and longer-term opportunities for residential developments and stronger nodes of retail and services
- Addressing existing traffic congestion issues related to the I-95 interchange

A near-term strategy for the SFRTA-owned parcel and supportive public investments will be developed in the context of a planning framework to achieve these more general goals in the study area.

Appendix C

Coordination Meeting with City of Ft. Lauderdale

Summary

Cypress Creek Mobility Hub Master Plan

City of Ft. Lauderdale

Tuesday, July 21, 2015 @ 1:30 p.m.

Attendees: Lynda Westin (SFRTA), James Cromar (BMPO), Jim Hetzel (City of Fort Lauderdale), Loraine Tappan (City of Fort Lauderdale), Odalys Delgado (HNTB)

Goal of meeting:

- Lynda mentioned that SFRTA needs clarification on what uses are allowable within existing land use and zoning so it can inform the RFP package for the SFRTA site. She stated that the desire was to have an RFP out by the beginning of the year and that a land use plan amendment change process is lengthy and would not coincide with their desired schedule to release an RFP.
 - Jim mentioned that their preference would be for the SFRTA site to be part of an overall land use plan amendment process however; he is cognizant of the desire for SFRTA to move ahead. He indicated that moving forward with a process solely for the SFRTA site would not be inconsistent with the overall desire that City wants for the area. The City is thinking they would apply a Regional Activity Center category to the area which would allow a broader set of uses.

Discussion Points:

- The existing land use is Industrial at City and County level. Both land use categories allow office as an outright permitted use and retail, hotel are allowed through the use of flexibility (flex) within the County land use plan flexibility zone for the area. Currently, there are 29.34 acres available to flex and the SFRTA site is about 5 so he didn't think that would be an issue. Residential is not allowed in this category. Flexibility is not allowed to be used for residential in an industrial category.
- However, the existing zoning is Industrial and although the land use allows office outright as a permitted use, the industrial zoning category is more restrictive and only allows the office through the use of flex as well. Jim mentioned that the SFRTA would be able to rezone the property to allow office, retail and hotel using flex. He mentioned that the B-3 category would be the most appropriate and that

the Univ. Of Phoenix site to the north had this zoning. The B-3 category allows retail as stand-alone use as well.

- Jim mentioned that the requirements for rezoning is an application to rezone but also a site plan level III (meaning the site layout has to be reviewed for the uses). Both items are needed for a rezoning. Planning and Zoning Board approve the rezoning and a public hearing process is required (signs on site, notification to adjacent owners). Envision uptown support critical. Big discussion may be airport and whether they support the rezoning. He anticipates it could take 5 to 6 months for approval. He didn't think there would be opposition to SFRTA moving forward on its own from City staff. The use is consistent with adjacent areas, with future vision for the area, and with future land use designation desired for the area. He thought that SFRTA as applicant and owner would also garner support from City Commission.
- Jim reviewed some applications in the area and did not anticipate that others are in need of flex within the same flex zone as SFRTA.
- If a rezoning is approved with specific site layout, the City can administratively allow a 5% deviation from the approved site plan if in the future it changes with a developer.
- Jim mentioned that at this time there is no funding for moving forward with the land use amendment process.