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INTRODUCTION

The City of Coral Springs has recognized that it must act proactively to ensure the social and economic future of its citizens. While traditionally community redevelopment has not been initiated until an area in decline arrives at or near the bottom of a downward trajectory, the City has determined that an earlier intervention makes sense. The City has proposed to intervene in the declining economic and physical character of its central area through a number of strategies, including the invocation of powers authorized by legislation through a community redevelopment agency ("CRA") pursuant to Part III of Chapter 163 of the Florida Statutes.

On March 6, 2001 the City Commission adopted Resolution No. 2001-018 containing findings of necessity, approving a slum and blight study, and requesting Broward County to delegate the exercise of all powers and responsibilities conferred to the County by Section 163.410, Fla. Stat. to the City for the purposes of establishing a Community Redevelopment Agency and the preparation of a Redevelopment Plan. Thereafter on June 19, 2001 Broward County adopted Resolution No. 2001-538, delegating to the City Commission of the City of Coral Springs the authority to adopt a resolution declaring the need for a community redevelopment agency within the City, to create a community redevelopment agency, to appoint its board, to adopt procedures, and to prepare a community redevelopment plan. On October 11, 2001 the City Commission adopted Ordinance No. 2001-128 creating the CRA, establishing its boundaries and procedures and delegating certain powers to the Agency as permitted by state law.

The City intends to create a real downtown through community redevelopment in the immediate vicinity of the intersection of Sample and University. Prior to the formation of the CRA, this approximately 136 acre area had been designated by the City as a “town center” redevelopment area, to be known as “Downtown Coral Springs”. An expansion area to the south of this area of approximately seven (7) acres has also been identified “CRA area”. In order to transform the existing condition of these areas into a functional and attractive urban center, the area must be comprehensively redeveloped. This Redevelopment Plan is intended to provide the CRA and the City with a guide for redevelopment in accordance with applicable law. The Plan contains:

- A community design element for the CRA area.
- A land use element establishing desired use and intensity of uses throughout the CRA area.
- A design standards element governing development, redevelopment and revitalization in the CRA area.
- A financial element for community redevelopment projects.
- A strategic implementation element for community redevelopment in the CRA area.
Figure 1: CRA BOUNDARIES
VISION

The City of Coral Springs is committed to early interdiction of the process of decline evident in the vicinity of the intersection of Sample Road and University Drive to facilitate the adaptive and productive re-invention of land uses in the area. In addition, the City is committed to transforming the area into an attractive and desirable downtown to serve as a functional and symbolic center of the City. The downtown is contemplated to be relatively intense and to contain a mix of public and private uses including governmental offices, office, retail, restaurant, entertainment and residential uses organized by a framework of public places and ways.

The Downtown Coral Springs initiative will certainly have the potential to transform the intersection of Sample Road and University Drive into a vibrant and bustling center of mixed use development, including office, residential, retail, dining and entertainment activity.
A BRIEF HISTORY OF THE CRA INITIATIVE

The Downtown Coral Springs initiative is the result of the convergence of traditional community redevelopment practices and emergent principles of new urbanism, sustainability and “smart growth.” Historically, community redevelopment has been practiced on a cyclical basis. Places and buildings were constructed with materials and construction techniques which had a limited useful life and over time earlier generations of places and buildings were reinforced, reinvented or replaced by new development. This process was driven by events, building materials, geopolitics, economics and newly discovered technology. Prior to the industrial revolution, mobility constraints literally required that cities be rebuilt in place because initial settlements were established at locations with superior mobility -- usually rivers and harbors. This phenomenon played itself out for centuries on a world wide basis, including the United States.

In the 20th century, primarily in the United States, improved mobility -- first the railroad, then the private automobile and finally the jet aircraft -- created the possibility that earlier generations of development could simply be left behind. And they were, when their utility began to decline and as new development lead to what we now call suburbs. The pace of suburbanization exploded in the post World War II environment as development spread out from traditional city centers at a very rapid rate. Sprawling subdivisions and strip commercial centers with “edge cities” at freeway interchanges became the American dream and eventually an American concern.

The inevitable crisis in “quality of life” resulting from these forces, however, was not well appreciated, though the “costs of sprawl” in regard to housing affordability and the fiscal disparities of sprawl were openly discussed in the late 60s and early 70s. Instead, American land policy focused on urban “blight,” the most evident symptom of the underlying problem, with a series of failed initiatives -- public housing, model cities (slum clearance) and a series of urban initiatives involving various tax and other economic incentives. In the late 60s, the environmental movement gave new voice to concerns about patterns of development, initially focusing on air and water quality and ultimately on the consequential and cumulative impacts of sprawl on wetlands, agricultural lands and historic resources.

At first, American planning and land use law responded to suburban growth pressure with initiatives directed at controlling the pace of development, what came to be known as growth management. Most growth management programs focused on linking the pace and location of development to the availability of public facilities on the
assumption that any adverse impacts from the form, character and intensity of suburban development would thereby be remediated. As for what was by then known as downtown or urban redevelopment, growth managers assumed that if the pace of suburban development were limited, development that was “pushed down” would “pop up” in declining city centers. In the early 80s a concern began to emerge in regard to the consequences of the pattern and character of development, a concern that the suburbs lacked a sense of place and community.

Led initially by the neotraditional town planning movement and later by mainstream planners, the antisprawl movement began to focus on the pattern of development and the importance of place. Their models were the neighborhoods, villages and small towns and cities with a sense of place and Seaside, a new resort town in northern Florida grounded in traditional town planning principles. By 1992, the State of New Jersey had adopted a geographically based state development and redevelopment plan entitled “Communities of Place” which implemented a statewide centers strategy to improve infrastructure efficiency, protect and preserve the remaining rural and environmentally sensitive lands and to create a sense of community, context and place.

It is now generally accepted that vibrant, sustainable communities are those with a sense of place -- a definable public context which provides a framework for private development and uses. At the same time, transportation planners began to focus on the land use transportation equation and on the impacts of suburban patterns of development on transportation demands and levels of service.

These forces began to come together in the late 80s and early 90s and a series of landmark revitalization efforts emerged in Florida -- some out of whole cloth, some as a creative reinvention of traditional places: Old Hyde Park in Tampa, Cocowalk in Coconut Grove and Mizner Park in Boca Raton -- three examples of the whole cloth approach to community redevelopment. Las Olas in Ft. Lauderdale, Atlantic Avenue in Delray Beach and Clematis Street in West Palm Beach are among the best examples of creative reinvention. In each of these efforts, new urbanism principles were employed to create a sense of place which provided an economic and competitive model. Many of the initiatives revealed a previously realized market for low and midrise urban residential units in attractive, secure and vibrant places. A handful of “over the store” units in Old Hyde Park, became 272 units in Mizner Park and is now literally thousands of residential units in traditional city centers from Miami to West Palm Beach.

Mizner Park: a village within a city
It is in this context, that the Downtown Coral Springs project has evolved. Coral Springs, a well planned, suburban new community, is one of the most successful of the large scale, new community projects in the country. Originally incorporated in 1963, the diversity, character and quality of the City’s housing stock is remarkable, by any measure, and the general attributes of the City, including parks, economic development and fiscal integrity, are enviable. Nevertheless, Coral Springs finds itself longing for a “sense of place” and at the same time finds itself in the midst of a regional mobility crisis which threatens the integrity of the City as its residents struggle to cope with the consequences of South Florida’s sprawling, suburban landscape. The City also finds that many of the land use assumptions on which the original Coral Springs plan was based, including land parcelization and commercial form and function, have proven problematic. The signs of functional obsolescence of some parts of Coral Springs, particularly along the major thoroughfares, are evident.

The most obvious evidence was the failure of the Coral Springs Mall which was acquired by the City and converted into a charter school and library. Acquisition of obsolete commercial properties for public use is not, however, a viable long term strategy, particularly in an environment of rapidly evolving and changing retail trends. The functional obsolescence of many of the commercial strips in the City is complicated by the Coral Springs’ patrimony as a planned community. The problem is not that Coral Springs was not well planned, but that it was planned at a time when the concepts of “place” and balanced land uses took a back seat to other considerations. Lot sizes which were carefully planned at a time when strip commercial was the retailing model, make it extremely difficult to reinvent places along the major roads, particularly where additional right of way has been acquired to accommodate the widening of a road. And those other considerations are not just historical facts, they are an enduring legacy in the form of covenants and restrictions which perpetuate the now discarded planning principles of sprawl.
On the one hand, Coral Springs is blessed by its attributes. On the other hand, the City is challenged by its relative youth, attractiveness and vitality. The need for community redevelopment, vital to the City and its future, is not so obvious as it is in other parts of the County where slum and blight resists remediation despite the best efforts of the public and private sectors. Nevertheless, the importance of community redevelopment as a matter of community value and fiscal responsibility is real and for Coral Springs the time for intervention is now, not after further obsolescence and deterioration make the task even more difficult and expensive.

The City’s ambition in regard to “Downtown Coral Springs” is particularly important because of the relative youth of the City, a mixed blessing in another way. Rapid growth as a planned community means that the City’s original infrastructure is all approximately the same age and will require substantial renovation in a relatively short period of time all at once. The City’s fiscal vitality will be key to being able to meet this and other challenges of the future and the Downtown Coral Springs initiative represents a logical and practical way of reversing the increasingly evident signs of decline and to create a vibrant city center which will be an enormous resource in its own right, but also will serve as an anchor and catalyst for the renovation of the City as a whole.

The City of Coral Springs is committed to creating a real downtown through community redevelopment, where one has never previously existed -- no small feat. The City of Coral Springs has designated the area surrounding the Sample/University intersection as a “town center” redevelopment area, to be known as “Downtown Coral Springs”. This area encompasses approximately 136 acres of land with existing improvements varying in size and served by a pattern of roads which are poorly interconnected. In terms of land area, the predominate land use in the area is surface parking and roads.
In order to transform the existing condition into a functional and attractive urban center -- a real Downtown -- the area must be comprehensively redeveloped. The area was developed in the hey day of Florida’s suburban sprawl and the pattern of development in the area is now understood to be inherently dysfunctional because of its relative low density, lack of connectivity and absolute dependence on the private automobile. The Plan for “Downtown Coral Springs” includes office/residential uses, outdoor cafes and restaurants, retail shops, as well as facilities for outdoor art and music festivals, which would all line the Downtown’s beautiful streetscapes. The new Downtown would enable the City of Coral Springs to establish a sense of place in the traditional sense of a “city” and be a major step in the maturation of Coral Springs from a planned community into a real city, in the truest sense of the concept.

In 1999 after a competitive RFQ process, the City selected Amera Urban Developers, Inc. as the master developer of the town center project, to be known as “Downtown Coral Springs.” The City entered into a Letter of Understanding in October, 2000 in regard to a joint public/private partnership for the development of a portion of Downtown Coral Springs and commenced the planning for redevelopment of the area.
EXISTING CONDITIONS

Existing Uses

Downtown Coral Springs is an area of approximately 136 acres which is focused at the intersection of Sample Road and University Drive. This area had previously been subdivided into 99 separate lots ranging in size from 10,000 square feet to more than 17 acres. Existing improvements range in size from approximately 2,000 square feet to the Coral Springs Financial Plaza, which is 10 stories tall and contains more than 140,000 square feet of increasingly obsolete floor area. In terms of land use, the predominate land use in the area is surface parking and roads. An expansion area of approximately seven (7) acres has been identified to the south of this principal area along University Drive. Figure 2 depicts existing generalized land uses for both areas.

The Downtown has a very small residential population, estimated at a total of 116 dwelling units, most of which are located on projects developed with moderate residential density. This compares to the density of residential development throughout the City in 1994 which can be broken down as follows:

- Low density (0 - 1.99 du/acre): 1.1%
- Moderate density (2 - 7.99 du/acre): 51.4%
- Medium density (8 - 20 du/acre): 37.6%
- High density (20.01 - 40 du/acre): 9.9%

Other existing land uses in the Downtown, including the expansion area, can be broken down as follows:

<table>
<thead>
<tr>
<th>USE:</th>
<th>Total (acres*)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail/Office</td>
<td>38.05</td>
</tr>
<tr>
<td>Governmental</td>
<td>23.72</td>
</tr>
<tr>
<td>Medical</td>
<td>9.94</td>
</tr>
<tr>
<td>Hotel</td>
<td>2.70</td>
</tr>
<tr>
<td>Residential</td>
<td>7.24</td>
</tr>
<tr>
<td>Vacant</td>
<td>9.42</td>
</tr>
</tbody>
</table>

(*) Excluding roads and canals
Figure 2:
GENERALIZED EXISTING LAND USE
Existing Plan Designations and Zoning

The Future Land Use Plan of the City’s Comprehensive Plan designates Downtown Coral Springs as primarily Commercial, with smaller areas designated Community Facilities and Medium and High Residential. (See Figure 3) Implementation of this Redevelopment Plan requires that these designations be replaced. Similarly, existing
zoning is composed of RM-20 areas and B-2 areas. (See Figure 4) The Development of Regional Impact for the Downtown (“DDRI”) will become the guiding regulatory document for the redevelopment of the Downtown based on this Redevelopment Plan which contains the guiding principles for the redevelopment of the Downtown, which will be incorporated into the City’s existing Comprehensive Plan by reference.
General Conditions

During the fall of 2000, the City conducted a detailed physical reconnaissance of the CRA area. In addition, all available information was analyzed in the context of the required demonstration that the proposed CRA area satisfies statutory standards and County guidelines for the formation of a CRA. A parcel specific survey is included as an appendix to the report “Downtown Coral Springs Proposed Community Redevelopment Area,” dated March 6, 2001.

The overall condition of the Downtown area can only be described as deteriorated. At first glance, however, this condition is masked by the physical improvements which have resulted from the City’s acquisition of the Coral Springs Mall. This site had been the most evident sign of distress in the area but this has been addressed through the charter school/County library initiative for this site. However, as beneficial as those improvements are, they do little to effectively remediate what is overall an obsolete, suburban commercial area. Indeed, a careful analysis of the area reveals that conditions of blight exist and that, absent intervention, these conditions will continue to erode the integrity of the area.

Faulty/inadequate street layout, inadequate parking, pedestrian and bicycling facilities

The CRA area is served by two principal arterials: Sample and University which are six lane divided roads. Figure 5 shows the existing street network. Access to a majority of the properties in the area is from one of these roads. On the western portion of Sample Road within the CRA area, access to parking areas is by difficult to maneuver one-way local roads, making it complex for even those who are familiar with the area to safely access these properties.

The general layout of roads in the Downtown area is inadequate by any definition. In terms of nonarterial circulation the road network could be easily described as defective. The network of local access ways is such that most trips require use of the regional arterial network,
Figure 5:
EXISTING STREET NETWORK
creating conflicts with through traffic movements and unnecessary congestion. Moreover, there are a number of potentially dangerous points of ingress and egress which can be addressed through redevelopment. Of particular note are the points of ingress and egress to the parking area/driveway for the retail strips on both sides of Sample Road west of Coral Hills Drive and east of NW 99th Way. Figure 6 portrays the current traffic circulation pattern and deficiencies.

While parking that is provided for some of the existing improvements in the area may be technically in accordance with city codes which existed at the time the use was established, almost all of the parking is poorly designed in terms of placement and use, creating inefficiencies in the availability of parking, as well as substantial unattractive areas. Many areas suffer acute shortage of parking for customers and some of the parking areas which are provided are located to the rear of the retail in areas which are perceived to be inconvenient and poorly designed. For those customers who might come if the use itself were attractive, competitive and contemporary in its design and offerings, this parking situation must be remedied. Redevelopment of this area, creating a balanced mixture of uses, will allow the creation of more attractive and efficient parking areas, thereby shoring up redevelopment.

In addition to parking considerations, the Downtown area can easily be considered to be “anti-pedestrian” and “anti-bicycle”. Currently, University Drive east of Sample Road (State Jurisdiction Segment of University Drive) has the only bicycle lanes in the area. Other areas are served by sidewalks (where available), which are shared by pedestrians and bicyclists, creating an unsafe condition. Pedestrians within any of the areas adjacent to the major roadways experience an unpleasant and frequently unsafe atmosphere.

In order to facilitate redevelopment, pedestrians and bicyclists must be encouraged to patronize retail establishments. Clearly there is no encouragement to use bicycles currently in the Downtown. There are many places where sidewalks are completely nonexistent; there are other places where the sidewalks are so poorly related to the adjacent use that they might as well not be there at all. Pedestrian aisles and guideways in parking areas are virtually nonexistent, creating potentially unsafe situations on nearly every parcel in the Downtown.

Transportation facilities incapable of handling traffic flows

The City has determined that 100% of its residents move through the intersection of University Drive and Sample Road at least once per week (Transit Mobility Improvements Grant Application, September 2000). Several segments on University Drive and Sample Road are operating at level of service E and F. Intersections in the area are also operating at level of service E. The percentage of these who stop in “Downtown Coral Springs” is very small, practically nonexistent.

The City has initiated an application for a Transportation Concurrency Exception Area (“TCEA”) in the Downtown area, reflecting the existing constrained capacity conditions, as well as the need to provide greater flexibility for redevelopment opportunities. If approved, the TCEA and related City Code amendments will facilitate the redevelopment of this area by allowing shared parking and strategically located parking garages.

Existing transit service to the Downtown is shown on Figure 7. There are three Broward County Transit routes serving the area: 2, 34 and 83. Route 2 is mostly scheduled to serve north south riders along
Figure 6:
Existing Circulation Pattern and Deficiencies
University Drive and a small segment of Sample Road on its final transit loop toward Downtown Coral Springs. Route 34 is oriented to transport riders to and from the Tri Rail Station at Sample Road and runs from US-1 to Coral Springs Corporate Park, near the Sawgrass Expressway. Route 83, which also loops back using Sample Road, is for the most part oriented to serve east west riders along Copans Road. Transit service is not currently at a level which can effectively help in alleviating the traffic problems. The City is working with the County to establish a Neighborhood Transit Center in the Downtown which would provide some assistance, along with the redesign of the land uses, in promoting transit in the area.

A comparison of total reported intersection traffic accidents for 1999 in the proposed CRA area to those of the City as a whole was conducted and expressed in terms of number of crashes per square mile. The result of the analysis shows that there were substantially less accidents in the City as a whole -- 0.03 per square mile in comparison to 2.4 accidents per square mile within the proposed CRA area. The data also reveals that the Sample Road and University Drive intersection alone accounted for a total of 17 crashes, while the rest of the proposed CRA area reported 38 accidents for the same year. Even though Sample Road and University Drive does not experience the greatest number of traffic crashes in the City, it is definitely among one of the worse intersections in the City.

This Plan for Downtown Coral Springs is designed to encourage redevelopment and higher population densities able to sustain transportation alternatives to the single occupant vehicle. Downtown Coral Springs will attract appropriate land uses essential to a multi modal based development that will remove cars from the heavily congested University Drive and Sample Road area.
Figure 7:
BC TRANSIT ROUTES
AND PROPOSED
TRANSPORTATION PROGRAMS
Faulty lot layout/fragmented pattern of ownership/vacant & underutilized land

Lot layout within the area is faulty for a number of reasons, including size (some are too small and some are too big) and their usefulness is limited by historical development practices and the deed restrictions which run counter to principles of “new urbanism” and competitive contemporary commercial development. Figure 8 shows vacant and underutilized land within the CRA area. Ten (10) acres in the Downtown are vacant and over 100 acres can be categorized as either seriously or moderately underutilized. Vacant land so close to the heart of the City can be an indicator of the lack of private investment in an area.

Most of the smaller lots on the western portion of Sample Road were platted more than 30 years ago, resulting in a pattern and size of lots which is difficult to develop in accordance with contemporary needs and virtually mandating assemblage if redevelopment is to occur. Many of these smaller lots were historically plotted at 50’ by 200’. Some of these lots, as ownership has changed over the years, have slowly been combined into slightly bigger lots. However, they are still too small to provide efficient lot layouts suitable for redevelopment.

Figure 9, ownership and lot size, demonstrates that over 58% of the properties in the Downtown are owned by private or public entities who own multiple parcels, representing 49.80 acres. This category of ownership ranges in size from over 25 acres controlled by the City of Coral Springs and Broward County to properties of less than one acre of land. The remaining lots in Downtown, which average in size from less than half of an acre to approximately six (6) acres, are owned by entities who control a single property. Obviously, in order to create viable redevelopment parcels, assembly will be required of both developed and vacant parcels.

Inadequate and outdated building density patterns

It is indisputable that the suburban character of the Downtown area makes it practically impossible for the area to serve as a functional “downtown” or “organizing place” in the City. Indeed, it is not difficult to argue that the existing pattern of development in the Downtown area could serve as a poster child for the anticity, the “edge city” of the 1960s and 1970s which gave rise to the recognition of the need for liveable cities in the form of communities of place.

The average floor area ratio of the area is 0.48 and the residential density is less than the allowable 8 to 20 units per acre, neither one of which is sufficient to support a vibrant center. The area is generally characterized by small automobile related retail and single purpose stand alone structures with little if any attention to architectural compatibility. The residential that does exist in the area is also outdated and insufficient in density to support a viable downtown area. The commercial facades and signage are generally unplanned and uncoordinated, failing to enhance the attractiveness and market potential of the area. This pattern of development is completely outdated and makes it extremely difficult, if not nearly impossible, for the existing commercial uses to compete in the marketplace. In addition, the current fragmented pattern of ownership in the Downtown area, complicated by the continuing interest and control of the original developer, affect the free alienability of property within the area and seriously constrain the revitalization and redevelopment of the area.
Figure 8: Vacant and Underutilized Land

SOURCE:
- FIELD SURVEY
- CRA BOUNDARY
- CRA EXPANSION
- AREA BOUNDARY
- EXISTING DRAINAGE CANAL

SEVERELY UNDERUTILIZED (VACANT LAND/SITE/BUILDING DESIGN)
MODERATELY UNDERUTILIZED (SITE/BUILDING DESIGN)
VACANT LAND (LAND PARCELS OF ONE ACRE OR MORE)
Deterioration of site and other improvements; unsanitary and unsafe conditions

The supporting infrastructure of the Downtown (e.g. the sidewalks, the design and availability of parking, the lack of pedestrian access or bicycling facilities etc.) creates unsanitary and unsafe conditions in the area. Some of these unsanitary and unsafe conditions are: open canals, inadequate disposal facilities, poor landscaping, inadequate, broken or unavailable sidewalks and bicycle paths, inadequate lighting for nighttime pedestrian and resident activity. These deteriorating influences, coupled with all the other factors described above relating to the Downtown, have resulted in what can only be described as “business decline and flight”. As the utility of the existing buildings continues to decline, public service demands will increase. Vacancy rates are not available from secondary sources but appear to be substantial from anecdotal information. The continuation of these circumstances without intervention will inevitably cause further decline and flight.

Figure 10 illustrates inadequate parking facilities within the CRA area.
Figure 10: Inadequate Parking Facilities
CRA PLAN OBJECTIVES

The purpose of the CRA Plan is to guide the revitalization and redevelopment of the CRA and to create an attractive and functional downtown. The specific objectives of the CRA Plan are:

Master Plan of Development: To establish a physical plan of development and redevelopment for the public realm within the CRA area.

Land Use: To identify the appropriate uses and intensity of uses for lands within the CRA area.

Capital Improvements Program and Budget: To establish a specific plan of public improvements necessary to support the creation of a downtown and to improve the existing public realm within the CRA area in accordance with design standards established in the CRA Plan.

Financial Program: To identify funding mechanisms for the required public improvements.

Redevelopment Incentives: To establish incentive programs to encourage revitalization and redevelopment throughout the CRA area.

Statutory Compliance: To satisfy the requirements of Florida law to ensure that the CRA is lawfully entitled to the powers and benefits of a community redevelopment agency under Part III of Chapter 163 of the Florida Statutes.
COMMUNITY DESIGN ELEMENT

The scope and character of the revitalization and redevelopment of the CRA area is defined by a number of factors including:

- the fact that Sample Road and University Drive are major, regional arterials which physically separate the four quadrants of the CRA area, at least in terms of pedestrian movements.
- surrounding land uses including adjacent residential neighborhoods and the hospital.
- prior commitments to institutional uses like the Charter School and regional library.
- regional land use patterns and economic conditions.
- the economic vibrancy of the City of Coral Springs.
- The fact that the City of Coral Springs is maturing and is rapidly exhausting land within its boundaries which is available for development.
The community design for the CRA area recognizes the functional character of Sample and University and addresses each quadrant as related, but separate elements -- the southeast quadrant, the northeast quadrant, the northwest quadrant and the southwest quadrant. Those portions of the CRA area lying to the west of Coral Hills Drive are identified as the north and south “sides.” The land to the west of Coral Hills Drive and south of the “South Side” are denominated the Hospital Support/Transit Center and the land to the south of NW 31st Court is described as the “Walk Extension.” These subareas of the CRA area are used as an organizational framework in the CRA Plan.

**Southeast Quadrant**
The southeast quadrant *(approximately 19 acres)* is primarily devoted to the Coral Springs Charter School and the Broward County regional library. Office, retail and restaurant uses are contemplated along Sample and University near the intersection, together with a parking garage. Vehicular and pedestrian routes are designed to integrate these uses with the school and the library.

**Northeast Quadrant**
The northeast quadrant *(approximately 6 acres)* is currently improved with a grocery store and a small, ancillary strip shopping center. Given the size of the northeast quadrant, surrounding land uses and limited access, the community design anticipates that the existing improvements will be revitalized or replaced but that the existing land uses will continue.

---

**Southeast Quadrant**

**Northeast Quadrant**
Northwest Quadrant
The northwest quadrant (approximately 12 acres) is currently improved with a strip shopping center and the City Hall complex. The community design for the area anticipates that the area will be redeveloped and that a new city hall will be a focal point of the redevelopment. The principal design element of the anticipated redevelopment is the creation of an east-west spine which would serve as an address for a mix of uses including residential. The community design theme contemplates that the buildings along Sample Road would have Sample Road identities but would take their primary access from the spine. The specific location of the new city hall is not set, though the community design contemplates that it will have a place of visual prominence. The redevelopment of the quadrant would require structured parking.

Southwest (Downtown) Quadrant
The southwest quadrant (approximately 28 acres) is the location of the “core downtown.” The community design contemplates a network of local streets connecting to a “central park” with various land uses in urban style buildings. The central park -- animated by entertainment and “kiosks on the green” will serve as an address for two great mixed use street. All buildings fronting on the park would be used for retail or restaurant purposes. The buildings on
the one side (NE) would have office uses above the retail and the other side (SW) would have residential use above the retail/restaurant.

The primary organizing factor in the design and location of the central park is access to Coral Hills Drive (at NW 33rd Street), Sample Road and University Drive. In order to create a functional, accessible “central place” the park is oriented on a southeast-northwest axis with access from University Drive, Sample Road, Coral Hills Drive and NW 31st Court intersecting with the corners of the park. The park is surrounded by a two lane, two way road which intersects with access roads at each of the corners. The roads are designed with decorative pavers, parallel parking and wide, landscaped sidewalks. The design is such that vehicular access can be controlled at the corners of the park so that the streets along the long dimension of the central park can be closed to vehicular traffic at particular times or occasions. Traffic to and from University and Sample is calmed by two roundabouts which separate the highway-oriented environment from the central park environment.

The central park (approximately 1 acre) is envisioned to be the focal point of the downtown and the City as a whole, a place of casual and formal assembly and a place for social and cultural interaction and exchange. The specific design and use of the park itself will be determined after a public charrette. To the northeast of the park, the design provides for an urban plaza bordered to the southeast and northwest by retail uses and to the northeast by a broad urban stair leading to an upper level set of plazas which support future office and hotel uses. To the southwest of the park, the design includes another urban plaza flanked by street level retail to the southeast and northwest and to the southwest a several tiers of urban steps leading to an upper level residential plaza surrounded by low, mid and high residential buildings. At the two ends of the park (southeast and northwest) the design contemplates street level retail with office and residential on the upper floors.
Walk Extension Area
The Walk Extension Area (approximately 7 acres) is not a part of the CRA, but is identified as an expansion area. The community design, however, recognizes the importance of linking the core downtown to the retail development along the west side of University Drive. The location of entertainment uses in the area of the Walk Extension Area would provide an anchor use which would serve both the core downtown and the retail uses to the south.

Hospital Support/Transit Center
The community design for this area (approximately 17 acres) is additional medical office and support buildings and the construction of a multi-modal transit center to enhance transit service to the North Broward Hospital District Medical Center and to the new downtown. The design for the Center locates the multi-modal center in the northeast corner of the area (fronting on the extension of NW 33rd Street which is the western access to the central park). The design contemplates a central parking garage which serves the transit center and medical offices along the balance of the northern, eastern and southern boundaries of the area.
**South Side**
The community design for the South Side (*approximately 12 acres*) involves a range of options from rehabilitation of existing buildings to an aggressive demolition and infill strategy. At the simplest end of the range of options, the existing improvements would be rehabilitated and surface parking lots and street frontages would be redeveloped in accordance with the new design standards. At the other end of the spectrum, most of the existing improvements would be razed to make way for redevelopment organized around a north-south boulevard which would extend from Sample Road to NW 33rd Street and reorganize land uses towards a frontage other than Sample and rely upon structured parking to facilitate the intensification of land uses.

**North Side**
The community design for the North Side (*approximately 12 acres*) is similar to the south side -- a range of options from revitalization and beautification pursuant to urban design standards to whole demolition and redevelopment. In the event of large scale redevelopment, the community design contemplates a single north south access point leading to mid-block parking structures. The parking structures would be “wrapped” on the north with a variety of residential uses and by retail and residential uses on the south side. The Sample Road frontage would be improved with an attractive frontage road abutting a network of hardscape plazas and sidewalks.
LAND USE ELEMENT

The desired pattern of land uses in the CRA area are horizontally and vertically mixed uses -- office, government, retail, institutional, residential and entertainment. As a matter of fact and law, any of these uses is appropriate on any land within the CRA area and should be permitted, assuming that applicable design and concurrency standards are satisfied. Nevertheless, the community design element contemplates a general distribution of land uses and intensity of land uses based on functional considerations -- access, pedestrian friendliness, shared parking and urban design. Each of the subareas within the CRA area includes a maximum amount of development which is contemplated in each area.

Uses and Intensity of Uses

Southeast Quadrant

The dominant land use in the Southeast Quadrant is institutional -- the Coral Springs Charter School and the Broward County Regional Library. In addition, the Southeast Quadrant is planned to include up to:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>70,000 sq. ft</td>
</tr>
<tr>
<td>Retail</td>
<td>24,000 sq. ft</td>
</tr>
</tbody>
</table>

Northeast Quadrant

The existing and future use of the Northeast Quadrant is for general retail purposes. The CRA Plan assumes that the existing grocery use will be revitalized, expanded or replaced. The CRA Plan allows for the inclusion of second floor office space as a part of the revitalization or redevelopment of the Northeast Quadrant.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>9,000 sq. ft</td>
</tr>
<tr>
<td>Retail</td>
<td>60,000 sq. ft</td>
</tr>
</tbody>
</table>

Northwest Quadrant

The CRA Plan anticipates that a new city hall of as much as 90,000 sq. ft. will be a primary land use in the Northwest Quadrant along with the redeveloped shopping/office development at the corner of the intersection of Sample Road and University Drive. The CRA Plan contemplates that the balance of the Quadrant will be revitalized or redeveloped with office, retail, residential and/or hotel uses.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Institutional</td>
<td>90,000 sq. ft</td>
</tr>
<tr>
<td>Office</td>
<td>150,000 sq. ft</td>
</tr>
<tr>
<td>Retail</td>
<td>125,000 sq. ft</td>
</tr>
<tr>
<td>Hotel</td>
<td>150 rooms</td>
</tr>
<tr>
<td>Residential</td>
<td>100 dwelling units</td>
</tr>
</tbody>
</table>

Southwest Quadrant (Downtown Quadrant)

The CRA Plan contemplates that the Southwest Quadrant will be assembled and redeveloped as the core downtown. The CRA Plan contemplates relatively intense land uses with active retail streets and
landmark residential, office and/or hotel buildings. The emphasis in the Southwest Quadrant is a sense of place defined by the public realm, shared parking and pedestrian friendliness.

Office – 500,000 sq. ft.
Retail – 300,000 sq. ft.
Hotel – 200 rooms
Residential – 800 dwelling units

Walk Extension Area

The CRA Plan contemplates that the Walk Extension Area will be redeveloped, whether it is ultimately included in the CRA area or not, with uses that connect and anchor the core downtown and the retail along the west side of University Drive. In particular, the Plan identifies the Walk Extension Area as an area which would be appropriate for a community-scale cinema.

Retail – 40,000 sq. ft.
Hotel – 150 rooms
Cinema – 65,000 sq. ft.
Residential – 220 dwelling units

Hospital Support/Transit Center

The CRA Plan contemplates the development of a multi-modal transportation facility in the southwest corner of the intersection of NW 33rd Street and Coral Hills Drive. The balance of the area is anticipated to be developed with medical office and support uses.

Office – 250,000 sq. ft.
Retail – 2,500 sq. ft.

South Side

The CRA Plan contemplates a mix of retail and office uses depending on the extent of land assembly and whether existing buildings are demolished to make way for redevelopment. Structured parking will be required in order to realize greater intensity of uses through revitalization and redevelopment.

Office – 250,000 sq. ft.
Retail – 100,000 sq. ft.

North Side

The CRA Plan contemplates a mix of office, retail and residential uses depending on the extent of land assembly and whether existing buildings are demolished to make way for redevelopment. Structured parking will be required in order to realize greater intensity of uses through revitalization and redevelopment.

Office – 150,000 sq. ft.
Retail – 75,000 sq. ft.
Residential – 550 dwelling units
Redevelopment Timing

The timing of redevelopment is relatively easy to forecast because the City has already selected a developer and the developer has been actively involved in the redevelopment planning process. Timing is significant in two principal ways: 1) scheduling public improvements; and 2) forecasting revenues. The CRA Plan contemplates a sequence of redevelopment that starts with the non-institutional uses in the Southeast Quadrant and quickly follows with the initial components of the Southwest Quadrant (Downtown Quadrant). The CRA Plan assumes that the timing of redevelopment in the other subareas of the CRA area will be a matter of market and property owner/developer tolerance for risk. The following Redevelopment Schedule forecasts the programmed components that will take place in all quadrants, except the Walk Extension area, during the first 11 years.

### Redevelopment Schedule

<table>
<thead>
<tr>
<th>Development</th>
<th>YEAR</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
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<th>7</th>
<th>8</th>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail</td>
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<td>22,950</td>
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<tr>
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</table>
Overview

The Urban Design Guidelines for Downtown Coral Springs define the basic planning and design parameters for the development of the CRA area in Coral Springs. As a goal of this planning, urban design, and economic development effort, the guidelines set forth parameters to create an active, pedestrian-friendly mixed-use urban village.

These guidelines were developed in concert with the evolving plans of the City’s designated Master Developer, Amera Urban Developers, Inc., (Amera) and are most specific where the plans of the Master Developer are themselves most advanced. The Guidelines therefore represent a considered response to Amera’s mixed-use development proposal as of Fall 2001.

The CRA has also worked to define and establish the implementation tools necessary to achieve the large-scale mixed-use public/private redevelopment required to create a new Downtown for Coral Springs. The result of this multi-faceted planning effort, and the process of ongoing discussion between the City and the development team, is a plan which promises to be economically viable and implementable from a development perspective. At the same time, the plan lives up to the initial aspirations and expectations of the City of Coral Springs in its desire to create a new Downtown, and sets the standard for future urban development in Coral Springs.

While these Urban Design Guidelines therefore represent a largely shared vision that reflects both the City’s expectations and the objectives of the current Amera development team, they are intended to remain in place – reviewed, modified, and refined as appropriate – even though the stakeholders in the development process may change over time.

The Urban Design Guidelines presented here focus on the Southwest (Downtown) Quadrant of the CRA. The Southwest Quadrant itself is divided into four sectors – Northeast, Northwest, Southeast, and Southwest – arrayed around a central public open space at the heart of the Quadrant.

These guidelines establish standards for use, density, height, and setbacks that vary among the sectors, recognizing such things as proximity to existing residential use, relationship of height and massing to existing and proposed street widths and nearby open spaces, and the current and desired distribution of land uses across and adjacent to the district.

The Urban Design Guidelines carry these basic regulatory parameters to the next step. Along with the streetscape design recommendations, which will define the character of the public realm – the streets and sidewalks of the CRA – the Urban Design Guidelines define in more detail the desired physical character of new development. They address such issues as the scale and character of front setback areas and the pedestrian realm within those setbacks, the character and continuity of the street wall, view corridors and identity elements, and opportunities to create appropriately scaled variations in building height and massing.
The Urban Design Guidelines provide specific dimensional guidance on the key development parameters of height, density (FAR), and setback. These parameters are supplemented by more flexible but clearly articulated design guidelines and dimensional goals and criteria for building articulation and massing, by which proposed developments in the CRA area can be measured and evaluated in the approval process as they evolve.

While the Urban Design Guidelines presently focus on the Downtown Quad as the location of the early phases of development, they recognize certain key links between the Downtown Quad and adjacent areas that should be maintained as the development of the CRA area proceeds through later phases. These include the creation of major view corridors, and a system of vehicular and pedestrian connections within the CRA that will facilitate a coherent and connected urban village environment throughout the CRA area. The more detailed elements of the guidelines, such as specific recommendations for FAR, height, and setbacks, can also be extended to the other Quadrants and sub-districts of the CRA as plans for these sites evolve.

Some of the Urban Design Guidelines discussed below — such as height, view corridors, identity elements and the public realm — suggest further design review. This should be under the guidance of the CRA, with a design review and approvals process to be determined.

These Urban Design Guidelines form part of a set of coordinated planning and design recommendations intended to shape the physical form of the CRA area, and particularly the public realm. Parallel documents developed concurrently with these Urban Design Guidelines include the following:

- The **Landscape Design Guidelines** describe the landscape and streetscape character, with suggested materials and dimensional standards, of each of the proposed street types within the Southwest (Downtown) Quadrant.

- The **Environmental Communications Program** describes a consistent set of identification, directional, and amenity elements that collectively help to establish a distinct image, identity and wayfinding system within the CRA area.

- After further refinement and approval by the CRA, these additional guidelines will be included in final form in Appendix G.

**Street Types**

The CRA area will consist of several street types that establish guidelines such as curb-to-curb road widths - including number of lanes and on-street parking, sidewalk widths, building setbacks, building heights and upper level step-backs from the street. In addition to the new streets within the Southwest (Downtown) Quadrant, the guidelines propose standards for University Drive, Sample Road, Coral Hills Drive, and NW 31st Street, given that they create the outside edge of the new CRA area and provide integral connections to the City of Coral Springs. Each type is numbered and named and corresponds to a plan that indicates their various locations within the CRA area.

**Street Type #1** - Proposes to change *University and Sample* by locating buildings closer to the street and provide new sidewalk and arcades that are integrated within the new development.
Street Type #2 - Proposes changes to Coral Hills Drive where the setback is reduced and a new landscaping buffer area and sidewalk are added.

Street Type #3 - Proposes the north portion of NW 31st CT be used primarily for residential uses. The existing setback is reduced to keep buildings closer to the street activity and the existing canal will be rerouted underground.

Street Type #4 - These new Entry Streets to the CRA area will link the new development to University and Sample and will accommodate turning lanes for cars, gateway elements at the corners, and sidewalks with arcades next to the adjacent retail development.

Street Type #5 - This new street will be the “Main Street” for new retail and commercial activity. This two-way street will have on-street parallel parking with a generous 20 ft wide sidewalk with trees, sitting areas and small plazas.

Street Type #6 - The abutting residential uses will be served by this new Residential Street type that accommodates two-lane/two-way traffic with on-street parking and new sidewalks, with a landscaped buffer edge next to the private residential uses.

Street Type #7 - This new Service Road will provide access to the rear of buildings and parking structures. The wide sidewalk and setback will be flexible to accommodate landscaping, loading docks, parking and sidewalks where appropriate.

Appendix G describes the seven street types in more detail. Refer to Figure 11, Proposed Street types.
Building Heights

The proposed building heights for the Southwest (Downtown) Quadrant are illustrated in Figure #12. The Heights correspond to the Street Types shown on the previous pages and in Appendix G. The plan indicates the general building heights as well as the upper level stepback heights.

Tower Elements are proposed at the northeast and southwest sectors of the Southwest (Downtown) Quadrant. The maximum height of 100 ft may be increased for tower elements to 180 ft at a limited number of selected locations within the Southwest (Downtown) Quadrant, subject to CRA approval.

“Gateway elements” are building forms that are articulated at the corners of streets, where the mass of the building projects to signify key entry points and landmarked areas. The massing may project into the setback zone, be taller in height or both. The examples above illustrate how gateway elements can be used within larger developments. It is proposed that gateway elements be incorporated within the design of the new Southwest (Downtown) Quadrant to identify significant entry roads that lead into the central urban plaza. Refer to Figure 12, Proposed Building Heights, for the specific locations.
Figure 12
**Floor Area Ratios**

The adjacent diagram provides recommendations for maximum Floor Area Ratios (FARs) for the four sectors of the Downtown (Southwest) Quadrant, based on the proposed build-out in the Master Plan for the Quadrant as of Fall 2001. FAR standards are provided for each sector of the Downtown Quadrant, and for the Quadrant as a whole. FARs on the adjacent diagram are shown as net and gross. The net FAR for each sector includes the private streets and sidewalks within that sector, while the gross FAR includes a proportional amount of the public streets and central open space between the sectors. The FAR for each sector, even at the higher net figure, remains well below the City’s maximum FAR of 4.0. Building construction within each sector must still remain within the build-to lines established for each parcel on the site, shown shaded on the adjacent diagram. The build-to lines are established elsewhere in these Urban Design Guidelines, and are based on proposed street width, sidewalk and landscape buffer width, as applicable, for each street type within the development. Parking garages are not included within the FAR build-out calculations. Surrounding these parcels are sidewalks, landscaped areas, internal streets and public spaces that have been carefully dimensioned to provide a pedestrian-friendly urban environment that is intentionally quite different from the typical automobile-dominated landscape of buildings set back from streets behind broad master parking bays.

The central open space has an FAR of zero, in that it is not intended to be built upon. This does not preclude the development of accessory structures as part of the public amenity package, specifically, the four pavilions that are described elsewhere in these guidelines (see the description of the central open space under Functional Design Criteria). Used in conjunction with the build to lines, building height and stepback guidelines provided in this document, the Floor Area Ratios define the maximum density and massing of buildings that may be constructed in each sector. Thus, where higher buildings are allowed, such as in the Northeast and Southwest sectors of the Downtown Quadrant, building profiles must become increasingly slim as greater height is achieved.

The guidelines also call for specific design review by the CRA for any project component over 100 feet tall, providing additional guidance in shaping the design of these highly visible landmark components of the Downtown project. It is anticipated that specific parcel shapes and sizes within the Downtown Quadrant may change as the final design of the project is undertaken. Use of FAR standards within an overall build-out envelope by sector allows flexibility in the ultimate shape and massing of the various elements of the project, while maintaining overall density standards. The developer should also be allowed to transfer development rights by transferring FAR from one sector to another within the Downtown Quadrant, subject to review by the CRA, and as long as the overall FAR of the Downtown Quadrant does not increase.

The overall gross FAR of the Downtown Quadrant, estimated at an area of approximately 27 acres, is 2.0, which is consistent with the Coral Springs Comprehensive Plan. The 27 acre total area takes into account several adjustments for changes to the rights-of-way of the surrounding streets, such as the creation of new turning lanes on Sample and University within the project’s original property line.
Overall FAR for the Southeast Downtown Quadrant is 2.2

Figure 13
Public Realm Plan

The Public Realm Plan identifies key pedestrian connections and plaza locations within the Southwest (Downtown) Quadrant. The plan distinguishes between “Hardscape” plazas, consisting predominantly of paved areas with featured landscaping, “Softscape” areas, consisting primarily of landscaping and vegetation, and Corner Plazas that could contain sitting areas, visual features, etc. Supplemental guidelines describing the character of these public spaces will be provided as part of Appendix G. The locations shown on the plan are a minimum requirement for plazas and pedestrian connections; the Developer is encouraged to include others where appropriate.

As part of the submission requirements for approval of the proposed Southwest (Downtown) Quadrant, the Developer will be required to submit a Public Realm Plan to illustrate how these significant public spaces and connections are achieved. Any additional plazas and pedestrian connections are subject to review by the CRA.

**Hardscape Plazas** are required at the following locations:
1) At the corner of University and Sample Road
2) At the middle of the central plaza.
3) A NE to SW diagonal view corridor and pedestrian way between the buildings located in the northeast sector of the Southwest (Downtown) Quadrant that connects the plazas identified in items 1 and 2 above.

**Corner Plazas** are required at the following locations:
1) At the four corners adjacent to the two entry streets
2) At certain corners of NW 31st Ct and Coral Hills Drive

**Softscape** areas are required at the following locations:
1) At the two ends of the central plaza

The Public Realm Plan also identifies key pedestrian connections that tie together common uses within the Downtown area. They are organized into the following three categories:

1) **Retail/ Commercial** – pedestrian environments that unite the ground floor retail and commercial uses. These should have a civic feel and be accessible to the larger public.

2) **Residential** – pedestrian environments that connect the residential parts of the Downtown area. These connections should be publicly accessible, however should only engage the building where key entrances and courtyards are located. Connections should be made to the existing residential community to the south of NW 31st CT.

3) **Enhanced Pedestrian Environment** – These pedestrian connections pertain to the existing edge streets that include University, Sample, Coral Hills Drive, and NW 31st CT. These streets should receive improved sidewalks, crosswalks, and areas for bicycle paths to improve the overall accessibility to and from the new Downtown. The plan also locates four pavilions to be included as a feature within the central plaza. The pavilions should be placed at the four corners of the Hardscaped area of the central plaza. These pavilions could potentially accommodate vending booths, information display areas, newspaper stands, etc.
Figure 14

Downtown Coral Springs
Public Streetscape Design Standards, Guidelines, and Plans

Legend
- "Hard" Plaza
- "Soft" Plaza
- Corner Plaza
- Pedestrian connections
- retail/ Commercial
- Residential
- Pavilion

Figure 14
Street Ownership

As illustrated in the Street Types section of the Urban Design Guidelines, there are many streets that will have to be constructed within the new Southwest (Downtown) Quadrant. The responsibility of constructing these streets and the associated infrastructure will fall upon the City of Coral Springs and the Developer. Figure #15 identifies the proposed public and private ownership of the roads within the Downtown. The ownership of these roads will affect issues such as funding sources for construction, maintenance and repair, access and terms of use.

Sidewalk and street paving materials should be coordinated between the public and privately owned parcels. This will ensure consistency in design throughout the CRA area, providing a coherent identity to the overall environment. The photo to the left illustrates a public/private sidewalk in Boston with consistency in design and materials. The property line is marked only by the small brass plate in the lower center of the photograph.

View Corridors and Identity Elements

View corridors are proposed in several locations of the new Southwest (Downtown) Quadrant to preserve visual connections between significant portions of the southwest quadrant. The view corridors are meant to provide views to and from the Downtown center, as well as between key locations within the central plaza. The View Corridors are required in several areas - refer to Figure 16 for specific locations.

While the view corridors are meant to preserve the views between the locations specified above, small visual elements, fountains, sculptures and landscaping features may be placed within the view corridor to achieve a balanced and integrated character with the adjacent environments.

Visual Features

Visual features are placed at strategic locations to focus and/or terminate views. The visual features could include water fountains, sculptures and landscaped areas. Four visual features are proposed in the Southwest (Downtown) Quadrant. See Figure 16 for locations.

Identity Elements

The elements are located to call out or identify specific features of the new Southwest (Downtown) Quadrant. These could include entrance makers, kiosks, a Downtown logo, directional or way finding elements,
Figure 16
etc. See Figure 16 for the specific locations of the Identity Elements.

**Primary Ground Floor Uses**

The proposed land use plan specifies primary uses that should be located on the ground floor of buildings within the Southwest (Downtown) Quadrant. The allocation of uses is important to achieving a balance and continuity in the street level environment. Given the duration and complexity of this project and the ever-changing real estate market, it is understood that the recommended uses may not be achievable. They should, however, be used to guide the development of the master plan and be included wherever possible. The ground floor uses are organized into the following three categories;

1) **Commercial/Mixed Use** – which could include retail, restaurants, offices, hotels, residential, etc.

2) **Residential** – Multi-family residential including townhouses, hotels, etc.

3) **Flexible** – no specific use required at the ground floor.

Figure #17 illustrates the location of the three primary ground floor uses.

**Functional Design Criteria**

In addition to establishing standards and guidelines for street types, building massing, height, density, and other planning and design parameters for Downtown Coral Springs, it is also important to articulate certain general design principles for a number of critical elements that will help to shape the public environment in the Downtown district. These principles are described here as “Functional Design Criteria” in that they address how these elements are intended to work within the larger context of Downtown Coral Springs.

Some of these elements are also addressed in the City’s **Architectural Guidelines**, in particular the Guidelines for Commercial and Multifamily Residential Development. The recommendations in the Architectural Guidelines — including such elements as building design, materials, color, and landscape criteria — should be considered in conjunction with the criteria provided on the following pages.

*Residential uses on the lower and upper levels -- Mizner Park, FL
Commercial uses at the lower level with residential above -- Las Olas, FL*
Figure 17
Covered Walkways and the Pedestrian Environment

Covered walkways, such as arcades and awnings, are an effective method of protection for pedestrians from sun and rain in the South Florida climate. Pedestrian friendly covered walkways are strongly encouraged, though not mandated for use in Downtown Coral Springs development. Arcades and awnings are particularly useful in areas where restaurants are located, to protect outdoor tables. This is especially appropriate at building corners, where re-entrant corners provide additional protected space under an arcade. Arcades are not necessarily recommended for street frontage of residential buildings, unless these buildings include a ground floor retail component.

It is not the intent of these guidelines to create an overall uniformity of design and detail in CRA area. There are other ways of providing color and variety in the pedestrian realm, as well as protection for pedestrians, such as awnings and canopy trees. However, arcades, awnings, and canopy trees are not mutually exclusive. For example, both arcades and awnings, as well as signage along the face of the arcade, adding color and visibility for the merchants within the arcade could be used.

Where arcades are used, they should be within the no-build line. Buildings should not encroach into the no-build zone. This will maintain a consistent street wall (building line) in the Southwest (Downtown) Quadrant, where the pattern of small block fronts does not create excessively long frontages in any case.

Surface Parking

One urban design feature that will distinguish the Southwest (Downtown) Quadrant from other areas of the City is in the handling of surface parking. Current design guidelines and deed restrictions typically require a 65 foot building setback from property lines along major roadways for surface parking (master parking bays), with a double bay of 130 feet required along University Drive. While some of these master parking bays, particularly those along University Drive, have been handsomely landscaped, the overall result is a very suburban, automobile-dominated feeling with buildings set far back from the roadway.

These existing requirements, whether by deed restriction, land development/zoning code, or architectural guidelines, will not apply in the CRA area. The resultant urban design character in Downtown Coral Springs will be a much more urbane, pedestrian-friendly environment, with mixed-use development set close to the major roadways, subject to the specific requirements for landscape buffers and sidewalks set forth in the guidelines for street types in this document.

Within the internal streets of the Southwest (Downtown) Quadrant, on
street parking is encouraged and provided for within the street types
design criteria. In combination with the relatively narrow street widths,
neck downs at corners, wide sidewalks, and clearly designated
crosswalks, this will create an environment that is safe and attractive for
pedestrians, while retaining the presence of the automobile within a
traditional urban downtown environment.

Parking Structures

The City’s Architectural Guidelines provide a clear set of standards for
the siting and architectural treatment of parking garages. Since
structured parking will be an important component of the CRA area,
these guidelines should be carefully reviewed and changed if
necessary to accommodate the CRA’s design objectives. These
guidelines call for incorporating “commercial or office space or
pedestrian arcades on elevations that face public streets or primary
pedestrian pathways or plazas. Optimally, the primary elevation of
parking structures should contain enclosed, leasable space on all levels
for at least a minimal depth of 15 to 25 feet (i.e., first exterior bay of
stalks).” Alternatively, the parking structure can be “wrapped” by other
uses, or enclosed by such uses, though separated by a service drive,
such as the Type 7 streets identified in this document. The Guidelines
also call for providing level floor plates on all primary view elevations –
that is, any ramps should be hidden within the parking structure.

Street Furniture

Street furniture includes a wide variety of elements that provide
orientation, amenity, and safety in the Downtown environment. This
includes lighting, identity, regulatory, and directional signage, benches,
bike racks, waste receptacles, and so on.

The design and placement of street furniture in Downtown Coral Springs should be well-coordinated and well-organized. An Environmental Communications system, which will define the coordinated design and placement of much of the Downtown’s signage and orientation features, will be reviewed and approved by the CRA and the City and be incorporated in these guidelines by reference. This system should itself be coordinated with the placement of other elements of the streetscape, including lighting and other street furniture, to enhance the pedestrian environment and minimize clutter.

For example, signage should be incorporated with lighting standards where appropriate, rather than installing separate sign and light posts in close proximity to one another. The placement of seating areas for pedestrians should take advantage of available lighting,
rather than requiring additional lighting of its own. Trash receptacles should be provided near pedestrian seating areas rather than in isolated locations. Bike racks should be provided where they do not interfere with pedestrian circulation.

Much of this street furniture will be provided within the landscape buffers required along most street types, either along the curb or fronting buildings. The width of these landscape buffers generally provides ample room for the placement of street furniture; the design of these buffers should take such placement into account.

The Central Open Space

It is understood that the Amera development team will retain responsibility for the final design of the Central Open Space in the Southwest (Downtown) Quadrant, but that the CRA will control ongoing design of the space after a public charrette is held. Much of the design of this space will be dictated by the programming concept for the space, which will be fully defined through the charrette process.

As currently conceived, the Central Open Space is divided into three sections. The middle section is conceived of as primarily a “hardscape” – consisting of decorative paving, and part of a larger hardscape cross-axis that runs from the northeast to southwest through the project, including a view corridor and open spaces in the northeast and southwest sectors. It is further assumed that the boundary roadways on the long northeast and southwest sides of the plaza will be able to be closed to traffic for special events, making the entire central area of the Southwest (Downtown) Quadrant into a large pedestrian space. In such cases, traffic would continue to be able to circulate through the area using the short roadways on the southeast and northwest ends of the plaza, the residential street, the service roads, and the entry drives.

As of this time, there is general agreement that the middle section – part of the “hardscape” cross-axis — might include a central feature – probably a fountain – and be surrounded by a set of kiosks or pavilions (probably four) that might be places for a café, ice cream shop, creperie, newsstand, etc. The two end sections of the central space will be softer and more heavily landscaped, particularly at the perimeter of the space. There might be an internal view corridor within the central space that runs within these landscaped areas across the central hardscape section from southeast to northwest. The pavilions might be situated within, but near the corners of the hardscape area, or recessed into the softer landscape of the end sections, but adjacent and open to the central hardscape area.
It has been agreed that the budget for the overall central space (approximately 100’ x 380’) should be set at $3 million, about half of which would be allocated to the middle, more intensively developed section with a fountain, and the other half for the softer, more heavily landscaped end sections. The budget for the middle section would include the provision of services to pads for four pavilions. The right to develop and operate the proposed pavilions would be leased to the developer, and financing and construction of the pavilions would be the responsibility of the developer. A preliminary budget for the construction of these pavilions was suggested at $1 million.

Entry Plazas

The current site plan for the Southwest (Downtown) Quadrant shows two entry plazas situated a short distance in from the major project entries along Sample Road and University Drive, where the entry drives cross the project’s internal service roads. These plazas are currently conceived as having small central features - most likely fountains, with traffic circulating around them via mini-roundabouts.

The entry plazas therefore serve multiple functions: they are traffic calming devices; they are part of view corridors into and out from the central space of the project; they are visual features in themselves. As traffic calming devices, they require traffic entering the project from the major roadways to slow down, and avoid quick direct encounters with cross traffic using the service roads. As view corridors, they allow views into the central plaza, where visual features should terminate the view. Looking out from the Southwest (Downtown) Quadrant, the east entry plaza frames a view of the City’s new Regional Library and Charter School across University Drive, while the north plaza presents a foreground feature beyond which, across Sample Road, is the proposed site of Coral Springs’ new City Hall.

The urban design diagram for the Southwest (Downtown) Quadrant recommends that these entry plazas themselves be framed by buildings with re-entrant corners – that is, corners which are inset from the basic build-to lines of their parcels. These re-entrant corners create generous pedestrian spaces bordering the entry plazas – ideal for sidewalk cafes or other outdoor uses – and maximizing the retail frontage on the corner. The frontage can be divided between two different uses – each with its own corner, or combined into a single larger use with extensive frontage. This feature is commonly employed in comparable mixed-use developments, where similar re-entrant corners are typically used—in combination with arcades — by restaurants with outdoor tables.

Pavilions -- like at Mizner Park -- could be located in the Central Plaza

Central Place, CityPlace
The community design element contemplates significant public improvements in order to create a downtown in the Southwest Quadrant. Streetscape improvements along existing road frontages, a new internal road network and the central park represent significant public investments in the public realm in the proposed downtown. The CRA Plan designates all of these improvements as community redevelopment projects and contemplates that they will be funded by tax increment generated by development and redevelopment in the CRA area. In addition, the CRA Plan assumes that the City’s investment (other than tax increment) in the implementation of the Plan above and beyond the City’s ordinary capital improvements responsibilities and tax revenue payments may be limited to the administrative costs of the CRA and financial guarantees for revenue bonds.

The Strategic Implementation Element of the CRA Plan contemplates that the CRA will implement the CRA Plan in two ways: 1) active support of the redevelopment of the Southwest Quadrant to create a downtown to serve as a catalyst for the revitalization and/or redevelopment of the entire CRA area; and 2) reactive support of individual revitalization and redevelopment projects throughout the CRA area. In other words, the CRA will initiate community redevelopment projects in the Southwest Quadrants in order to implement the CRA Plan. In the balance of the CRA area, the CRA will promote revitalization and redevelopment and will respond to private sector initiatives with appropriate incentives. As a result of this dichotomy in approach the financial plan for the implementation of the CRA Plan is itself dichotomous -- a specific plan for the Southwest Quadrant and a less specific, toolbox of techniques which will be available to support revitalization and redevelopment in the balance of the CRA area.

Southwest Quadrant

The public cost of implementing the CRA Plan is not easy to forecast because of uncertainty in regard to land acquisition costs, particularly if the power of eminent domain is used to complete assemblies through the elimination of holdouts. Implementation of the CRA Plan and the creation of a downtown involves three major community redevelopment project undertakings: land assembly, public improvements and private development.

CRA Financial Obligations

Land Assembly. The community design for the Southwest Quadrant contemplates that all of the land within the Quadrant will be assembled for redevelopment in order to create a coherent, functional downtown which appropriately relates to surrounding neighborhoods. A physical, strategic and financial plan for the revitalization and redevelopment. As a result land assembly is one of the most important and potentially costly community redevelopment projects in the CRA Plan. One of the biggest obstacles to community redevelopment is the high cost of land assembly and the economics of demolishing existing income producing improvements, no matter how modest. In order to achieve community redevelopment and to create a viable downtown, the CRA and the City of Coral Springs will have to participate in land
assembly -- contribution of city-owned land to the enterprise, vacation of existing rights of way and, if necessary, use of the power of eminent domain. It is practically impossible to project the future cost of the CRA’s participation in land assembly and acquisition. For the purposes of the CRA Plan and to ensure that the CRA’s financial obligations are not open-ended, the projected cost of the CRA’s participation in land assembly and acquisition is budgeted at a maximum of $10,000,000 which shall be considered a reserve in the CRA Plan implementation budget.

Public Improvements. The community design for the Southwest Quadrant contemplates ambitious and very expensive improvements of the public realm which will serve as the urban framework of the downtown. The centerpiece of the urban framework is a central park, a network of decorative paver streets which frame the park and two urban plazas which extend the sense of place into private development areas -- one residential and one non-residential. The cost of the improvements -- land and construction are projected as follows:

Parking Garages. In order to create a functional downtown with a critical mass of uses it is necessary that off-street parking demands be met by the provision of parking garages. The financial implications of structured versus surface parking are significant with structured parking costing approximately 10 times surface parking. In part, the cost is mitigated in part by the more efficient use of land -- more spaces per square foot of land area, however, the most difficult obstacle to community redevelopment other than land assembly is the cost of provided structured parking. In many redevelopment situations, responsibility for the provision of off-street parking is undertaken by the public, often through the creation of a parking authority. While the parking authority approach is a common one, there are inherent inefficiencies and financial risks in the creation and operation of a separate quasi-governmental authority. The risks are particularly significant in areas where there is no tradition of paid parking and the willingness of the public to pay is in question or may constitute a competitive disadvantage for the redevelopment projects. As an alternative, many redevelopment authorities opt to facilitate the provision of parking by providing incentives to the private sector to assume responsibility for the provision of parking. Typical incentives include discounted land and conduit bond financing, often supported as pledges by special sources of revenue (as opposed to general) such as utility taxes. One consideration which must be considered is the tax implications of public versus private ownership.

The CRA Plan contemplates that the CRA and the City will participate in the provision of parking garages through a lease purchase program. Under this program, the CRA would undertake to finance the acquisition of land and construction of parking garages in support of community redevelopment projects. There are several options for serving the debt which would be incurred. The simplest and most cost effective from the CRA’s perspective would be the establishment of a special assessment district and to impose a pro rata share for annual debt service on benefitted properties. Special assessment bonds are likely to qualify as tax free reducing interest costs by several hundred basis points. Use of the special assessment approach would allow the developer to easily pass through the cost of parking through common area maintenance charges and a 200 basis point saving over taxable or private financing costs would translate into a net annual reduction in the cost of parking of at least 10%. The CRA could contract with the developer to operate and maintain the parking garages on some sort of participating basis.
Alternatively, the CRA could provide financing for garages and master lease the garages to the developer. The terms of the master lease would require annual lease payments equal to the CRA’s annual debt service obligations and would give the developer an option to purchase the garages at a negotiated price after the CRA’s debt obligations are satisfied. Without designing a specific parking proposal, it is not possible to ascertain whether CRA financing under this alternative would be tax free or taxable. Even if the bonds were taxable, it is very likely that the net cost to the developer using taxable bonds will be sufficient to make the effort worthwhile. Sophisticated tax counsel should be consulted to ascertain ways in which the CRA’s ultimate objective -- to ensure the provision of adequate parking and avoid the responsibilities of long term maintenance and operation -- can be achieved without making the required bond financing taxable.

In the final analysis, CRA participation in the provision of required parking garages is likely to be an essential ingredient of the development of a downtown and perhaps in the revitalization of the other subareas in the CRA area. It is anticipated that this participation will be on a special revenue basis -- that is the CRA’s actual costs will be repaid by revenues derived, directly or indirectly, from the use of the parking garages.

Sub-areas other than the Southwest (Downtown) Quadrant

The CRA Plan contemplates that the CRA will support specific private sector revitalization or redevelopment initiatives on a project by project basis. The scope of the CRA’s involvement will be defined by the scope of individual private sector initiatives. The CRA Plan anticipates that the CRA may, depending on the individual proposal, provide assistance in the form of public improvements, e.g. streetscapes and new roads, and in the financing of off-street parking facilities. The projected cost of these support efforts is impossible to project because of the range of revitalization and redevelopment which may occur. In order to ensure that the scope of the CRA’s financial obligations are defined, the maximum amount of financial support available from the CRA should be limited to the capitalized value of net tax increment generated by the proposed development based on a revenue stream for the period of time remaining under the CRA Plan. In other words, a redevelopment initiative in the 2nd year of the implementation of the CRA Plan which generates additional assessed value of $10 million would be eligible for CRA support which equals the net present value of the annual tax increment during the remaining years of the CRA Plan (20 years) discounted on the basis of the CRA’s cost of borrowing.

Tax Increment

The key element of the financial element of the CRA Plan is the use of incremental taxes generated by revitalization and redevelopment to finance community redevelopment projects, incremental tax revenue. Tax increment projections are subject to a number of key variables including the pace of development, the lag between the completion of development and additional assessments and the aggressiveness of assessed value appraisals. Although the Florida Constitution requires that assessed value equal 100% of the fair market value, actual appraisals generally represent no more than 85% of fair market value and new real estate products are often assessed below actual costs.

Nevertheless, it is necessary to project future tax increment based on implementation of the CRA Plan in order to identify the scope
of public participation which can be supported by tax increment. The first step in the projection process is to establish a development schedule projecting when revitalization and redevelopment is likely to occur. The development schedule for the implementation of the CRA Plan contemplates that the completion of the Southeast Quadrant (Charter School) and the Southwest Quadrant will proceed in accordance with a projected phasing program and that revitalization and redevelopment in the balance of the subareas will generally lag behind the Southwest Quadrant, even though the CRA Plan calls for revitalization and redevelopment of all subareas to proceed as soon as practicable. Taking these assumptions into consideration, tax increment is projected on the basis of the actual development completion schedule plus 1 ½ years (to account for lag in reaching the assessment roles) for the Southeast and Southwest Quadrants and on the assumption that revitalization and redevelopment in the remaining quadrants will be placed on the assessment role in ten, equal annual installments commencing in the tenth year of the implementation of the CRA Plan.

The second step is to project the likely assessed value per unit of development resulting from the development contemplated in the CRA Plan. For the purposes of providing a conservative projection, the CRA Plan assumes that initial assessments are more likely to be derived from comparable property values than construction cost or net operating income. Based on data from the Broward County tax assessment records, average valuations have been derived which are used to project future tax increment. Given the relative age of the improvements which are included in the data base and the assessment practices applied to redevelopment areas like Mizner Park and Las Olas, it is reasonable to assume that average valuations are a conservative projection and that actual tax increment will exceed the projections.

It is possible that the City will be able to support redevelopment out of general or special revenues. For example, the possibility exists that Community Development Block Grant funds could be used for some of the “other quadrant improvements. Those funds are not included in the Sources and Uses table because there is no current commitment to such funding as a part of the CRA Plan.
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Downtown Coral Springs Projected Tax Increments
## Sources and Uses

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*(1) not including the Walk Extension Area*
IMPLEMENTATION ELEMENT

The City of Coral Springs and the Community Redevelopment Agency will implement the CRA Plan through a series of actions including:

- Making modifications to the City’s Land Development Regulations to permit and facilitate the redevelopment contemplated by this Plan.

- Disposition of City land located within the Southeast Quadrant, the Downtown Quadrant and the Northwest Quadrant for community redevelopment.

- Installation of public infrastructure needed to facilitate the redevelopment of the Downtown Quadrant.

- Entering into joint public/private partnerships with qualified developers for community redevelopment projects.

- Providing land assembly assistance necessary to carry out community redevelopment.

- Providing financing for public improvements required for community redevelopment based on special assessment or tax increment revenues.
Modifications to the City’s Land Development Regulations

The future land use contemplated by this Plan does not fit neatly into the City’s existing land development regulations. This Plan contemplates that the City will seek downtown development of regional impact (“DDRI”) approval for the entire Community Redevelopment Area. As a part of the DDRI development order, the Plan anticipates that the Development Order will establish standards governing horizontally and vertically mixed land uses. The CRA Plan contemplates that the DDRI Development Order will establish the following:

- Residential, retail, office and hotel uses will be permitted on all land within the community redevelopment area.
- Any or all of the permitted uses may be developed in a single building.
- The intensity of use on a particular parcel of land will be determined by a building envelope defined by setbacks, required open space and height limits.
- Required parking will be calculated according to a “shared parking formula.”
- All buildings will be required to comply with “urban design standards” governing mass, scale and function.
- Development review within the CRA area will be expedited and to the maximum extent possible conducted by the professional staffs of the City and the CRA.
**Disposition of City Land Within the CRA Area**

The City owns three parcels of land within the Community Redevelopment Area. Two of those parcels are currently used for municipal purposes. The CRA Plan anticipates that a new city hall building will be provided as a community redevelopment project and that a public/private partnership will be employed for the development of the new building. The CRA Plan contemplates that all of those lands will be made available for community redevelopment. In fact, the City has already carried out a developer selection process in accordance with the procedural requirements of section 163.380 of the Florida Statutes and is currently under negotiation. This Plan contemplates that the City will negotiate specific disposition terms for each of the City parcels and shall comply with any applicable provisions of municipal law or the Florida Statutes before perfecting title in the selected developer.

**Installation of Public Infrastructure**

The redevelopment contemplated in this Plan requires substantial public investment in public infrastructure from road beautification to public spaces to core utilities. This Plan contemplates that the City will be responsible for the installation of these improvements, directly or by contract with the selected developer or other private contractor.

This CRA Plan contemplates that the installation of required public infrastructure will be contemporaneous with private investment initiatives. That is, when a specific community redevelopment project is proposed by the private sector, the City and the CRA will take such steps as are reasonably practical to ensure that the required infrastructure will be in place when the demand for that infrastructure results from the private initiative. This CRA Plan anticipates that the City and the CRA’s financial obligations are limited to special assessment and tax increment revenues.

**Relocation**

The CRA Plan contemplates that the acquisition of residential properties will be carried out on an “arm’s length” private transaction basis and that the cost of relocation will be included in the consideration for the acquisition of residential units. As a condition of the joint public/private partnership agreement in conjunction with the redevelopment of the Downtown Quadrant, the CRA shall require that the developer: 1) provide the owners of residential units a reasonable opportunity to relocate to new housing to be developed as a part of the redevelopment of the Downtown Quadrant; 2) provide the tenants of rental housing the opportunity to relocate to new, for sale housing to be developed as a part of the redevelopment, if the developer includes rental housing in the redevelopment of the Downtown Quadrant; and 3) provide residents of any housing acquired as a part of the redevelopment effort with housing relocation assistance as maybe required by law.

**Joint Public/Private Partnerships**

A central theme of the implementation of this CRA Plan are joint public/private partnerships for community redevelopment. A joint public/private partnership is an agreement between public and private sector parties to carry out some activity which is of mutual benefit. One of the best known public/private partnerships is Mizner Park in nearby Boca Raton. The Boca Raton CRA wanted to have the old Boca Mall redeveloped. The CRA entered into a public/private...
partnership with a developer whereby the CRA acquired the land for Mizner Park using tax increment bonds, and then leased portions of the site (individual building pads) to a private developer. The private developer constructed all of the public and private improvements necessary to create Mizner Park and was reimbursed by the CRA for the public components of the Park. In other areas, parking garages, stadia, downtown redevelopment and a whole host of undertakings with a direct public interest have been the subject of public/private partnerships. Partnerships range in complexity from simple land leases to complex joint ventures, depending on the complexity of the redevelopment undertaking. This CRA Plan contemplates that the CRA will use joint public/private partnerships wherever they will facilitate the implementation of community redevelopment projects, subject only to the CRA’s fiscal limitations.

**Land Assembly**

One of the most common obstacles to community redevelopment is the parcel size of previously developed property. Historical development patterns typically involved the subdivision of land into individual small lots and the construction of individual buildings. In order to respond to contemporary market needs and regulatory requirements, lots need to be reassembled in order to carry out cost-effective and economical practical redevelopment.

In some cases, assembly is completed by a series of private acquisitions. However, if there are multiple owners of property in an area of planned assembly, one of more of the owners are likely to “holdout” for a premium over market value. In some cases, assembly is completely frustrated by holdouts. In others, the design of the redevelopment project is compromised as the redevelopment plan is modified to allow the holdout property to be excluded from the redevelopment effort. In still other cases, the developer agrees to pay the demanded premium and the economic feasibility of the redevelopment project is compromised by what are otherwise unsupportable land costs. For a local government interested in community redevelopment, land assembly assistance by way of the power of eminent domain is often the key to successful redevelopment.

**Power of Eminent Domain**

It is well-settled that a local government may use its power of eminent domain to acquire property for redevelopment purposes, even though the property is ultimately to be conveyed to another private party for development.

In 1954, the United States Supreme Court explicitly considered the issue of whether acquisition of private property for the purpose of reconveying the property to a private entity as a part of an urban renewal project satisfied the constitutional requirement that private property could be taken only for a "public use." Berman v. Parker, 348 U.S. 26 (1954). After noting that the role of the judiciary in regard to whether an exercise of the power of eminent domain is valid is a "narrow one," the Court addressed the issue of whether the compulsory acquisition of land for a housing project was valid. First, the Court, in what was for all practical purposes a dispositive, "fait à compleat," equated "public use" with "public purpose" and then observed that:

We deal, in other words, with what traditionally has been known as the police power. An attempt to define its reach or trace its outer limits is fruitless, for each case must turn on its own facts. The definition is
essentially the product of legislative determinations addressed to the purposes of government, purposes neither abstractly nor historically capable of complete definition. Subject to specific constitutional limitations, when the legislature has spoken, the public interest has been declared in terms well-nigh conclusive. In such cases the legislature, not the judiciary, is the main guardian of the public needs to be served by social legislation....


Having effectively confined the scope of judicial review to what has been cynically described as "anything goes," **Arceneaux v. Treen**, 671 F. 2d 128, 136 (5th Cir. 1982), the Court went on to hold that it is for the legislature to decide what is a valid public purpose:

Miserable and disreputable housing conditions may do more than spread disease and crime and immorality. They may also suffocate the spirit by reducing the people who live there to the status of cattle. They may indeed make living an almost insufferable burden. They may also be an ugly sore, a blight on the community which robs it of charm, which makes it a place from which men turn. The misery of housing may despoil a community as an open sewer may ruin a river.

* * * *

The concept of the public welfare is broad and inclusive. The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well-balanced as well as carefully patrolled.

**Id.** at 32-33.

The Court continued and explicitly considered whether the reconveyance of land acquired by condemnation to a private entity was violative of the public use limitation of the Fifth Amendment:

Appellants argue that this makes the project a taking from one businessman for the benefit of another businessman. But the means of executing the project are for ... [the legislative branch] alone to determine, once the public purpose has been established. The public end may be as well or better served through an agency of private enterprise than through a department of government....

**Id.** at 33-34 (Emphasis added). In other words, the Court held that if a compulsory acquisition was directed at a legitimate public purpose, it did not matter that property acquired by eminent domain for redevelopment was conveyed to a private entity for use.

Subsequently, in 1984, the Supreme Court of the United States confirmed the continued vitality of the holding in **Berman in Hawaii Housing Authority v. Midkiff**, 467 U.S. 229 (1984). In **Midkiff**, a
property owner challenged the Hawaii Land Reform Act of 1967 as unconstitutional. The Reform Act was directed at land ownership patterns in Hawaii (47% of the State's land was in the hands of only 72 private landowners), a situation which was legislatively determined to be:

responsible for skewing the State's residential fee simple market, inflating land prices, and injuring the public tranquility and welfare.

Id. at 232. To redress these problems, the Legislature determined that it was appropriate to compel the large landowners to break up their estates. According to the Supreme Court:

The legislature considered requiring large landowners to sell lands which they were leasing to homeowners. However, the landowners strongly resisted this scheme, pointing out the significant federal tax liabilities they would incur. Indeed, the landowners claimed that the federal tax laws were the primary reason they previously had chosen to lease, and not sell, their lands. Therefore, to accommodate the needs of both lessors and lessees, the Hawaii Legislature enacted the Land Reform Act of 1967 (Act), Haw.Rev.Stat., ch. 516, which created a mechanism for condemning residential tracts and for transferring ownership of the condemned fees simple to existing lessees. By condemning the land in question, the Hawaii Legislature intended to make the land sales involuntary, thereby making the federal tax consequences less severe while still facilitating the redistribution of fees simple.

The property owners challenged the reform act in Federal District Court because the Act, among other things, was unconstitutional because it violated the "Public Use Clause." The District Court ruled in the property owner's favor and the Court of Appeals, affirmed, holding that the Hawaii Land Reform Act could not pass the requisite judicial scrutiny in regard to the "Public Use Clause." The Ninth Circuit Court of Appeals found that the compulsory transfers contemplated by the Act were unlike those of takings previously held to constitute "public uses" by the Supreme Court and that the public purposes offered by the Hawaii Legislature were not "deserving of judicial deference." 467 U.S. at 235. The Circuit Court concluded that the Act was simply:

a naked attempt on the part of the state of Hawaii to take the private property of A and transfer it to B solely for B's private use and benefit.

702 F.2d 788, 798 (9th Cir. 1983), after remand, 725 F.2d 502 (9th Cir. 1983).

The Supreme Court of the United States reversed:

we have no trouble concluding that the Hawaii Act is constitutional. The people of Hawaii have attempted, much as the settlers of the original 13 Colonies did, to reduce the perceived social and economic evils of a land oligopoly traceable to their monarchs. The land oligopoly has, according to the Hawaii Legislature, created artificial deterrents to the normal functioning of the State's residential land market and forced thousands of individual
homeowners to lease, rather than buy, the land underneath their homes. Regulating oligopoly and the evils associated with it is a classic exercise of a State's police powers. We cannot disapprove of Hawaii's exercise of this power.

467 U.S. at 229. Relying on Berman v. Parker, the Court found that:

When the legislature's purpose is legitimate and its means are not irrational, our cases make clear that empirical debates over the wisdom of takings -- no less than debates over the wisdom of other kinds of socioeconomic legislation -- are not to be carried out in the federal courts. Redistribution of fees simple to correct deficiencies in the market determined by the state legislature to be attributable to land oligopoly is a rational exercise of the eminent domain power. Therefore, the Hawaii statute must pass the scrutiny of the Public Use Clause.

Any doubt about the legitimacy of compulsory acquisition in order to carry out land reform and urban development was unequivocally resolved in Midkiff, and even those states that previously adopted the more narrow view of "public use" have relented.

Use of the Power of Eminent Domain in Support of Redevelopment

Traditionally, local governments identified candidate redevelopment areas and initiated eminent domain to secure title and control of properties within the designated areas. In most cases, condemnation was initiated in the context of a community redevelopment plan. After acquisition, the acquired property is then conveyed to developers for redevelopment, usually after a competitive bidding process. Alternatively, some local governments have used their power of eminent domain selectively to acquire key parcels of land, such as holdouts, to facilitate redevelopment. In Florida, condemning authorities ("condemnors") are required to pay the attorneys fees of the property owner, regardless of the outcome of the proceedings.

The use of the power of eminent domain in support of community redevelopment involves a number of issues: 1) procedural requirements for acquisition; 2) satisfying the legal requirements for compulsory acquisition; and 3) the cost implications of condemnation.

Procedural Implications

A key element of an acquisition strategy are criteria controlling the use of the power of eminent domain. The legal prerequisite is a valid public purpose such as community redevelopment, which may be satisfied the preparation of a coherent redevelopment plan which establishes the need for assembly. Although most local governments base community redevelopment initiatives on the provisions of the Community Redevelopment Act, Part III, Chapter 163 Fla. Stat. (1997), it is generally understood that a local government in Florida may use its power of eminent domain in support of redevelopment,
provided that the public purpose and necessity of assembly is articulated in a formal planning document. On the other hand, just because local governments are empowered to use the power of eminent domain in support of redevelopment projects does not mean that it is the optimal course of action in every redevelopment situation. Indeed, there are numerous reasons why a local government in Florida should be selective in employing the power of eminent domain, not the least of which is the obligation to pay the property owner’s legal fees under Florida law.

One way of balancing the competing interests is to limit the use of the power of eminent domain to those circumstances where a developer controls a certain percentage of a candidate redevelopment parcel and has made a bona fide offer to purchase the remainder of the parcel at the appraised value of the property or some established multiple of assessed value which has been rejected. For example, the CRA could identify a minimum property area which is necessary to facilitate practical redevelopment. If a developer controls a certain percentage of the minimum property area and has made a bona fide offer to purchase the balance of the area for the fair market value of the land, then the CRA would use its power of eminent domain to acquire the balance of the property and convey the property to the developer.

The objective is not to use the power of eminent domain for every assembly, but to provide the private sector with a finite context in which to negotiate an assembly. Experience from other jurisdictions demonstrates that an articulated public willingness to use the power of eminent domain to eliminate holdouts provides a powerful incentive for both sellers and developers to negotiate a willing transaction, albeit under the threat of eminent domain. And in many cases, the mere threat of the use of the power of eminent is sufficient to provide the seller with more flexibility in avoiding a taxable gain under the Internal Revenue Code.

**Legal Requirements for Assembly by Eminent Domain**

Any parcel of land within the CRA is a candidate for assembly. The CRA should establish strict procedural requirements in regard to a petition for assembly and a demonstration by the petitioner that: 1) the redevelopment proposed by the petitioner is consistent with the CRA’s redevelopment objectives; 2) the developer controls the required percentage of the candidate redevelopment parcel; and 3) the developer has made a bona fide offer to purchase the balance of the property. Upon a finding that the parameters have been satisfied, the CRA would initiate condemnation proceedings provided that the developer and the CRA are able to agree on responsibility for the cost of acquisition.

**Cost of Condemnation**

From the CRA’s perspective, an agreement whereby the developer reimburses the CRA for all costs, including legal fees and the compensation award would be most desirable. From the developer’s perspective, a cap on costs or municipal assumption of legal fees would be very beneficial. Assuming that the property is not subject to a “quick take” proceeding, Florida law allows the CRA to mitigate its exposure by abandoning a taking if the jury award is prohibitive, provided that the property owner’s legal fees are reimbursed by the CRA. In the final analysis, the cost issue is defined by the measure of property owner expectations and the benefit of a particular redevelopment proposal.

If property owner expectations are relatively close to fair market value, then the optimal course is likely to be a negotiated
acquisition under threat of eminent domain. If property owner expectations are high relative to fair market value, then at some point it becomes cost effective to use the power of eminent domain. The problem is that eminent domain juries (notwithstanding jury instructions to the contrary) have a tendency of accepting the property owner’s view of value on the theory of “how would I feel if the property being condemned were my property” or by dividing the “baby” in half (mid point between the property owner’s view and the condemning authority’s view). Nevertheless, a commitment to use the power of eminent domain to assist in redevelopment assemblies is generally regarded as necessary, particularly where property owner expectations are driven by unrealistic expectations or special considerations.

In many circumstances, local governments find it necessary to contribute financially to redevelopment in the form of “land write downs” and other subsidies. The local government’s willingness to provide such assistance is generally governed by the nature of the proposed redevelopment and the perceived benefit of the redevelopment proposal to the community. For example, the City of Miami Beach “invested” the cost of a beachfront parcel of land in a public/private partnership as a way of bringing a new convention center hotel to Miami Beach. The City of Miami Beach concluded that direct and indirect revenues which would be generated as a result of the new hotel were more than adequate compensation for the amount invested in land assembly. Most local governments in the State of Florida provide some sort of financial assistance for land assembly in redevelopment areas, though the assistance may be nothing more than a long-term participating lease or some other self-funding undertaking. In any event, the issue of cost is not amenable to generalization and can only be made on the basis of a specific redevelopment proposal for specific properties.

This CRA Plan contemplates that the CRA will use its delegated power of eminent domain to complete land assembly which is necessary to carry out a community redevelopment project. The CRA Plan anticipates that the CRA will adopt a resolution which will establish the procedural and substantive requirements for land assembly assistance. Appendix F is a draft resolution which would implement the land assembly element of this Plan.

Public Financial Assistance

The simplest approach to financial assistance involves direct subsidies or waivers of fees and charges. For example, it is not uncommon for a redevelopment authority to acquire land and sell it to a community redeveloper for less than the cost of acquisition. In some cases, this sort of “write down” is justified as an incentive to attract a private investor to a redevelopment area which is not currently supported by the existing market. In other situations, the value of land and improvements for substandard facilities is more than the value of the land for redevelopment and the redevelopment agency participates by writing down the value of the improvements as a part of a redevelopment initiative.

Community redevelopment is recognized as an important public undertaking and improvements which benefit the public interest may be eligible for tax free financing. Alternatively, the use of taxable bonds, depending on a variety of factors, could also be of advantage to a redevelopment initiative. For example, parking garages which are open to and serve the general public generally satisfy the Internal Revenue Code’s test for a public activity. If a parking garage is provided by parking revenues or a special assessment on all properties which are
benefitted by the availability of public parking, then the undertaking is likely to be eligible for tax free financing. For example, if a qualified developer were to propose the development of a public parking garage as a part of a community redevelopment project, the CRA could undertake to finance the parking garage based on parking revenues, a special assessment imposed on benefitted properties, tax increment or a combination thereof, assuming that net revenues were sufficient to provide debt service and coverage at a substantial cash flow savings compared to traditional construction and permanent financing. In some cases where a project is forecast to generate sufficient net revenues to satisfy debt service obligations but not enough to provide coverage (generally 130% to 140% of debt service), it may be appropriate for the CRA or the City to provide additional security to meet debt coverage requirements. Those savings may well be critical to the economic success of a particular community redevelopment project.

Another model of assistance involves the acquisition of the land by a redevelopment authority who then leases the land to a private developer. If the acquisition is financed, then it is likely the bonds would not be tax free, but would still be more favorable than conventional financing. This approach may be particularly beneficial to both sides of the redevelopment equation where substantial public improvements are put in place because land lease payments -- after the debt is retired -- is available for operation and maintenance of the improvements.

The eligibility of individual community redevelopment projects for financial assistance can only be determined on a case-by-case basis. This CRA Plan contemplates that the CRA will aggressively support public private partnerships and will provide whatever incentives are reasonably justified. The ultimate objective of financial assistance in support of community redevelopment, however, is to secure public benefits which would not otherwise be available.