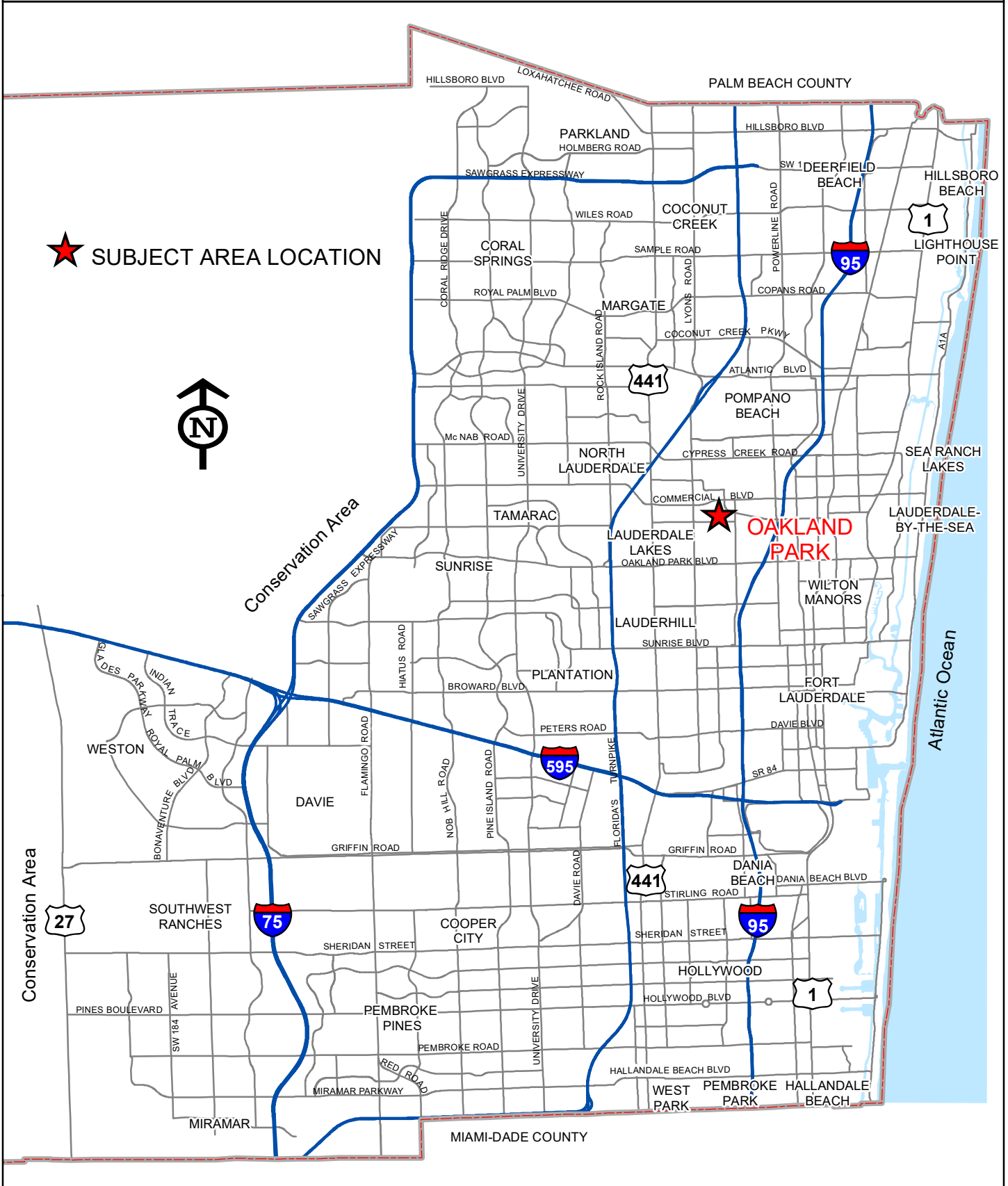


EXHIBIT 2

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN GENERALIZED LOCATION MAP AMENDMENT PC 19-2



★ SUBJECT AREA LOCATION



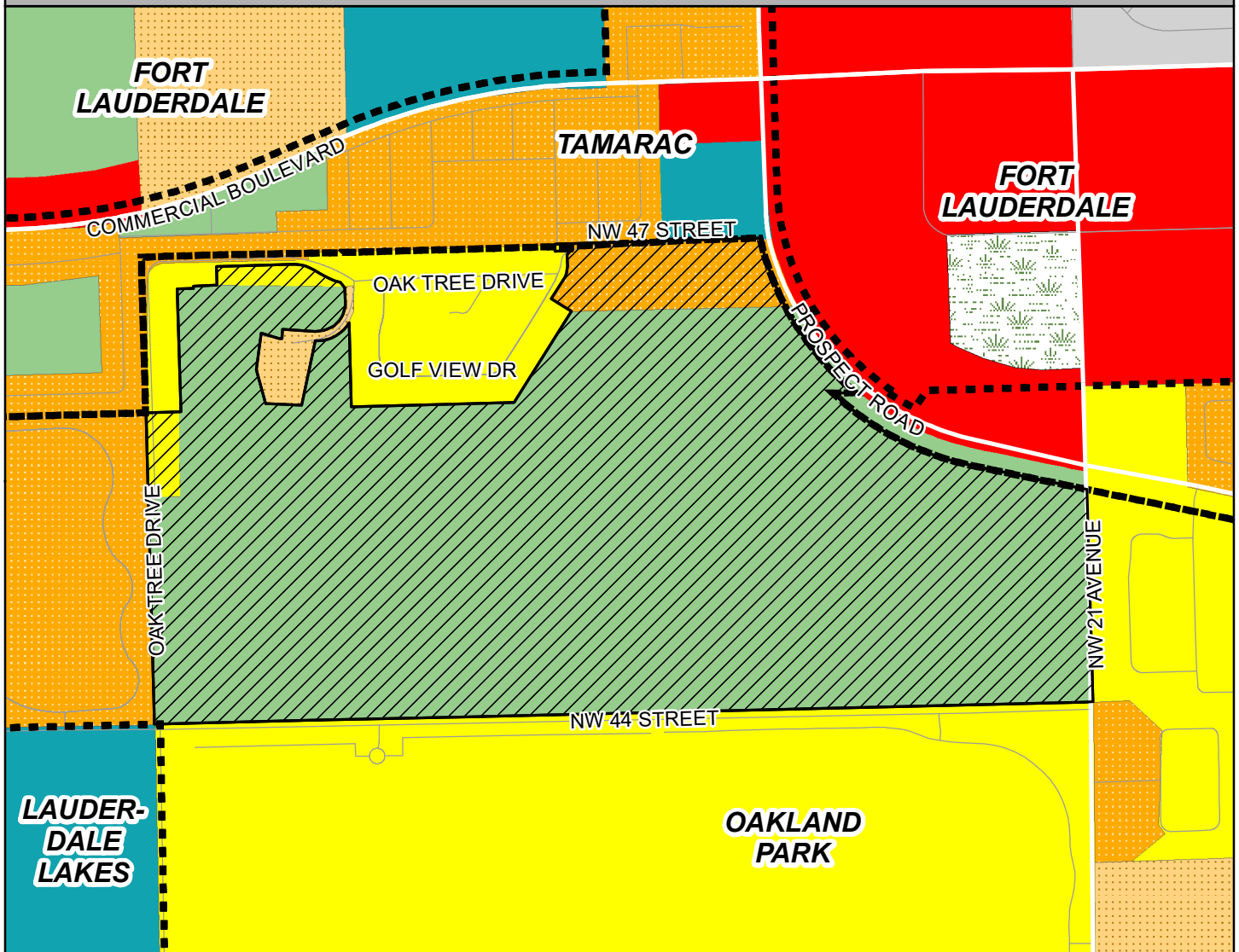
MAP 1
BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
AERIAL PHOTOGRAPH
AMENDMENT PC 19-2



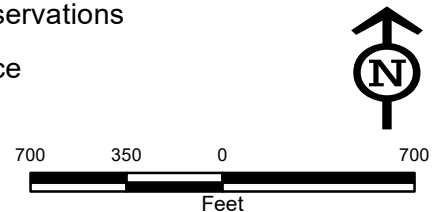
MAP 2
BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
CURRENT FUTURE LAND USE DESIGNATIONS
AMENDMENT PC 19-2

Current Land Uses: 132.7 acres of Recreation and Open Space, 6.0 acres of Low-Medium (10) Residential and 2.0 acres of Low (5) Residential

Gross Acres: Approximately 140.7 acres



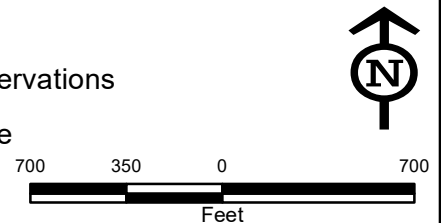
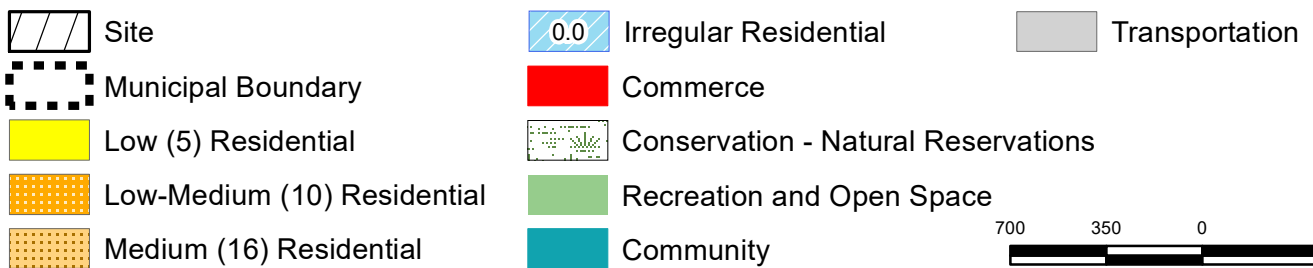
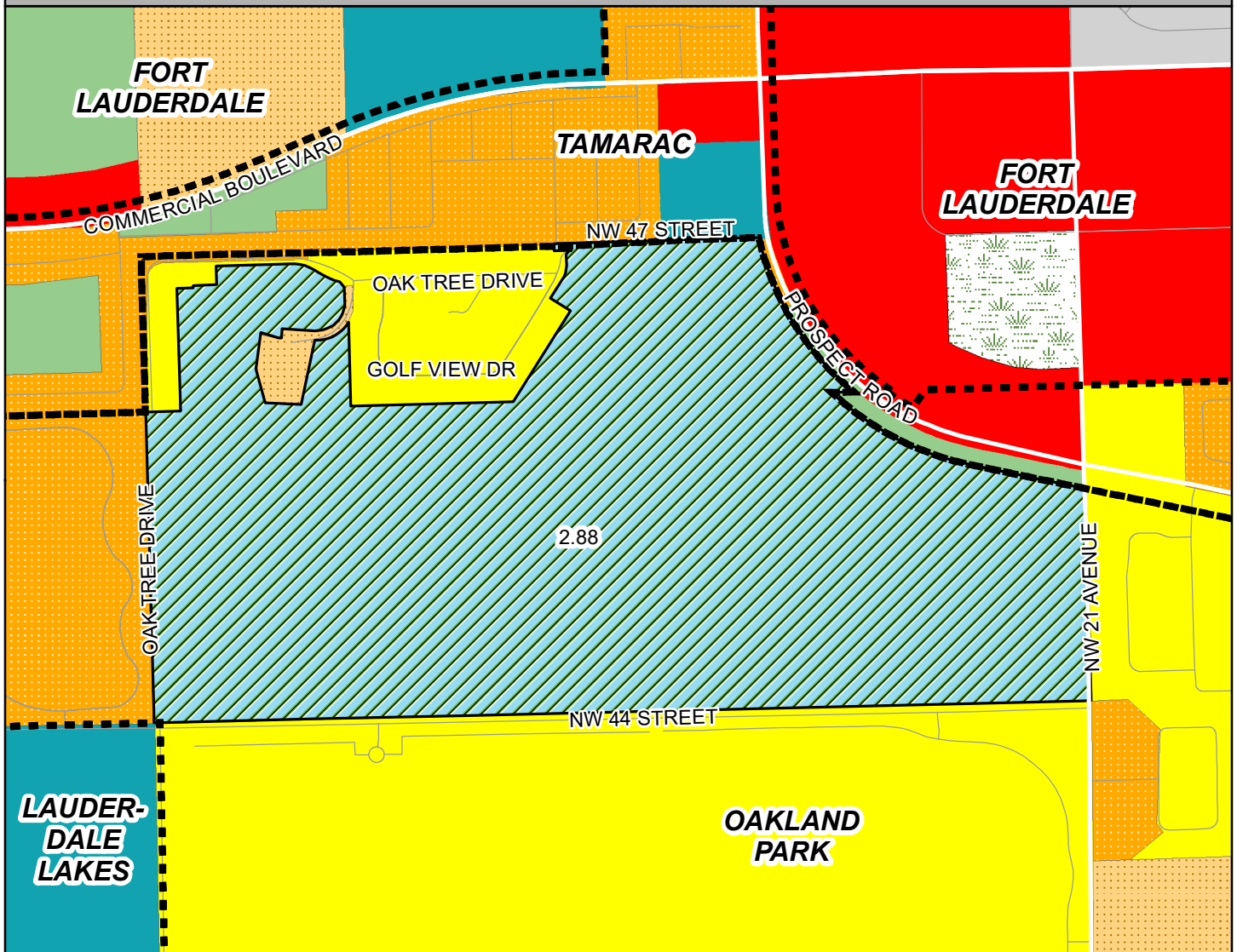
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|---|---|
|  Site |  Commerce |
|  Municipal Boundary |  Conservation - Natural Reservations |
|  Low (5) Residential |  Recreation and Open Space |
|  Low-Medium (10) Residential |  Community |
|  Medium (16) Residential |  Transportation |



MAP 3
BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
PROPOSED FUTURE LAND USE DESIGNATIONS
AMENDMENT PC 19-2

Proposed Land Use: Irregular (2.88) Residential

Gross Acres: Approximately 140.7 acres



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 19-2
(OAKLAND PARK)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation

January 15, 2019

Planning Council staff finds the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved, recognizing the applicant's voluntary commitments to 1) dedicate a minimum of 9.0 acres of the property for community recreation and open space, 2) restrict the dwelling units to 273 single-family dwelling units and 132 townhouse dwelling units and 3) mitigate the impacts to the transportation network resulting from the proposed amendment. See Attachments 3, 5.A. and 5.B.

Effectiveness of the approval shall not occur until after the recordation in the public records of Broward County, Florida, to the satisfaction of Broward County, of the Declaration of Restrictive Covenants proffered by the applicant, as an inducement for Broward County to favorably consider its application.

In addition, the applicant's confirmation to 1) coordinate with the School Board regarding the existing Educational Mitigation Agreement for a 6.0 gross acre portion of the property related to BCLUP amendment PC 04-22, 2) comply with the environmental licensing and permitting requirements to redevelop the property with a residential use, and 3) coordinate with the City to maintain the municipality's current Community Rating System with the flood insurance program is recognized. See Attachments 10, 12 through 15, and 18.

Further, the applicant submitted an affordable housing analysis, dated May 2018, and it has been found by the Broward County Planning and Development Management Division (PDMD) to be generally consistent with Policy 2.16.2. However, the PDMD has requested that the City provide additional information regarding its future supply of affordable housing and plans to address the current and future supply of affordable owner and rental housing units. See Attachment 8. The applicant, in coordination with the City, will provide an updated affordable housing analysis to address the PDMD comments prior to a second Planning Council public hearing consistent with the Council's revised Rules.

RECOMMENDATIONS/ACTIONS (continued)

DATE

II. Planning Council Transmittal Recommendation

January 24, 2019

Approval per Planning Council staff transmittal recommendation, including a second Planning Council public hearing. (Vote of the board; Unanimous: 14-0; Blackwelder, Blattner, Breslau, Brunson, Castillo, DiGiorgio, Good, Graham, Hardin, Rich, Rosenof, Rosenzweig, Williams and Stermer)

III. County Commission Transmittal Recommendation

February 26, 2019

Approval per Planning Council transmittal recommendation.

IV. Summary of State of Florida Review Agency Comments

April 3, 2019

The South Florida Water Management District (SFWMD) has commented on the proposed amendment:

Comment: The County is required to revise its Water Supply Facilities Work Plan (Work Plan) within 18 months after approval of the Lower East Coast (LEC) Water Supply Plan Update by the District's Governing Board. The District's Governing Board approved the LEC Water Supply Plan Update on November 8, 2018. Therefore, the County's Work Plan needs to be updated and adopted by May 2020. The Work Plan must cover at least a 10-year planning period, include updated water demand projections, identify alternative and traditional water supply projects, and describe conservation and reuse activities needed to meet the projected future demands. Planning tools are available on the District's website and District Staff are available to provide technical assistance to update the Work Plan, including reviewing draft Work Plans prior to formal plan amendment submittal.

Response: Broward County will revise the Work Plan by May 2020.

V. Planning Council Staff Final Recommendation

April 16, 2019

Planning Council staff finds the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved, recognizing the applicant's voluntary commitments to 1) dedicate a minimum of 9.0 acres of the property for community recreation and open space, 2) restrict the dwelling units to 273 single-family dwelling units and 132 townhouse dwelling units and 3) mitigate the impacts to the transportation network resulting from the proposed amendment. See Attachments 3, 5.A., 5.B, 23 and 24.

Effectiveness of the approval shall not occur until after the recordation in the public records of Broward County, Florida, to the satisfaction of Broward County, of the Declaration of Restrictive Covenants proffered by the applicant, as an inducement for Broward County to favorably consider its application.

RECOMMENDATIONS/ACTIONS (continued)

DATE

V. Planning Council Staff Final Recommendation (continued)

April 16, 2019

In addition, the applicant's confirmation to 1) coordinate with the School Board regarding the existing Educational Mitigation Agreement for a 6.0 gross acre portion of the property related to BCLUP amendment PC 04-22, 2) comply with the environmental licensing and permitting requirements to redevelop the property with a residential use, and 3) coordinate with the City to maintain the municipality's current Community Rating System with the flood insurance program is recognized. See Attachments 10, 12 through 15, and 18.

Regarding affordable housing, Planning Council staff notes that the applicant's affordable housing analysis, dated May 2018, was found to be generally consistent with Policy 2.16.2 prior to the first Planning Council public hearing. See Attachment 8. Further, consistent with the Broward County Planning and Development Management Division (PDMD) staff's request for additional information, the City of Oakland Park submitted an updated Affordable Housing Market Assessment, dated March 7, 2019, to provide additional information regarding its plans, policies and programs to address the current and future supply of affordable owner and rental housing units. The PDMD staff continue to find the City's housing analysis generally consistent with Policy 2.16.2, however, it recommends that the City 1) consider establishing a Housing Trust Fund to provide gap financing for new multi-family affordable rental units and 2) provide a copy of the City's forthcoming Comprehensive Housing Study for County review of findings. See Attachments 25 and 26.

In addition, if the Broward County Land Use Plan amendment is adopted by the County Commission, this action by the Planning Council shall be considered the "conditional" recertification of the municipal land use plan amendment which directly correlates to the referenced Broward County Land Use Plan amendment. The recertification will not be deemed effective until such time as the Planning Council Executive Director and Attorney determine that the municipality has fulfilled all application requirements for recertification of local land use plans, as outlined in the Administrative Rules Document: BrowardNext. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

VI. Planning Council Final Recommendation

April 25, 2019

Approval per Planning Council staff final recommendation, further recognizing the applicant's voluntary contribution of \$500 per dwelling unit towards affordable housing.

(Vote of the board; 14-2; Yes: Blattner, Breslau, Brunson, Castillo, DiGiorgio, Good, Graham, Hardin, Parness, Railey, Rosenof, Ryan, Williams and Stermer. No: Grosso and Rich)

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PC 19-2

INTRODUCTION AND APPLICANT’S RATIONALE

- I. Municipality: Oakland Park
- II. County Commission District: District 9
- III. Site Characteristics
 - A. Size: Approximately 140.7 acres
 - B. Location: In Section 17, Township 49 South, Range 42 East; generally located on the west side of Northwest 21 Avenue, between Commercial Boulevard and Northwest 44 Street.
 - C. Existing Use: Former golf course
- IV. Broward County Land Use Plan (BCLUP) Designations
 - A. Current Designations: 132.7 acres of Recreation and Open Space
6.0 acres of Low-Medium (10) Residential
2.0 acres of Low (5) Residential
 - B. Proposed Designation: Irregular (2.88) Residential
 - C. Estimated Net Effect: Addition of 335 dwelling units
70 dwelling units currently permitted by the Broward County Land Use Plan
405 total dwelling units
Reduction of 132.7 acres of recreation and open space use
- V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site
 - A. Existing Uses:
 - North:* Single-family residential, religious institution and office
 - East:* Office and single-family residential
 - South:* Multi-family residential
 - West:* Multi-family residential and single-family residential

INTRODUCTION AND APPLICANT’S RATIONALE (continued)

V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site (continued)

B.	Planned Uses:	North:	Low (5) Residential, Low-Medium (10) Residential, Community and Commerce
		East:	Commerce, Low (5) Residential and Recreation and Open Space
		South:	Low (5) Residential
		West:	Low-Medium (10) Residential and Low (5) Residential

VI. Applicant/Petitioner

A.	Applicant:	Pulte Group
B.	Agent:	Greenspoon Marder, P.A.
C.	Property Owners:	Blackwood Partners, LLC Blackshore Partners, LLC

VII. Recommendation of Local Governing Body:

The City of Oakland Park recommends approval of the proposed amendment. The City anticipates adoption of the corresponding local amendment in February of 2019.

VIII. Applicant’s Rationale

The applicant states: “The subject property is comprised of 140.7 gross acres and is located on the west side of NW 21 Avenue between NW 44 Street and Commercial Boulevard. The City Land Use Plan designation for the subject property is Parks/Recreation. The subject property is currently designated Low (5) Residential, Low-Medium (10) Residential, and Recreation and Open Space on the Broward County Land Use Plan. The Oak Tree Country Club operated on the subject property until 2007 when it was closed due to declining use and revenue. The applicant is requesting an amendment to change the land use plan designation to Irregular (2.88) Residential ("proposed amendment"). This proposed amendment will facilitate development of 405 residential units that will be compatible with the surrounding residential developments.

The proposed Conceptual Master Plan for the subject property was designed with special consideration given to the existing abutting single family units. The buffer on the northern perimeter of the subject property is approximately 25 acres and is comprised of lakes and green areas.

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

VIII. Applicant's Rationale (continued)

The proposed amendment provides the City with a redevelopment opportunity that will transform a vacant property into an attractive residential development. The residential infill development will expand the residential unit types in the area and provide City residents the opportunity to buy newly constructed homes without moving to a community in western Broward County. Due to the limited vacant land in the City, there is limited opportunity for existing residents to move into newly constructed homes and still remain in the City.

Finally, the proposed development will result in a substantial increase in the City's tax base and tax revenues that will replace a now vacant property. In its current condition as vacant private property that has contaminated soil and no significant environmental features that require protection, the subject property provides minimal community value. As part of the development of the subject property the existing contaminated soil will be remediated to eliminate any potential hazard to residents. The proposed amendment will provide employment opportunities during construction and long-term tax revenues for the City.

For these reasons the subject property would be better utilized as a residential development."

SECTION III
AMENDMENT REPORT
PROPOSED AMENDMENT PC 19-2

REVIEW OF PUBLIC FACILITIES AND SERVICES

I. Potable Water/Sanitary Sewer/Drainage/Solid Waste/Parks & Open Space

Adequate potable water facility capacity and supply, sanitary sewer facility capacity, drainage and solid waste services, and park and open space acreage will be available to serve the proposed land use. See Attachment 1.

For informational purposes, Oakland Park currently has approximately 189.59 acres of parks and open space to serve its residents. It is estimated that the proposed land use plan amendment will result in an increase of 2.4 acres on the projected demand for local parks, and the City's 2045 projected population (53,138) requires approximately 156.41 acres to meet its LOS. The City continues to meet both its adopted LOS and the BCLUP community parks acreage requirement of 3 acres per one thousand existing and projected population. See Attachment 1.

Planning Council staff notes that the proposed amendment will not impact the available park and recreation acreage, as the City does not include any portion of the former Oak Tree golf course in its certified parks and open space inventory. In addition, the applicant has submitted a draft Declaration of Restrictive Covenants which reserves a minimum of 9.0 acres of the property for community recreation and open space, the location of which will be determined in coordination with the City at the time of site plan review. See Attachment 3.

Regarding the long-range planning horizon for potable water supply, it is noted that the City of Oakland Park adopted its 10-year Water Supply Facilities Work Plan on June 17, 2015.

II. Transportation & Mobility

The proposed amendment from the Recreation and Open Space, Low-Medium (10) Residential and Low (5) Residential land use categories to the Irregular (2.88) Residential land use category is projected to increase the number of p.m. peak hour vehicle trips on the regional transportation network at the long-term planning horizon by approximately 321 p.m. peak hour trips. See Attachment 2.

The Broward Metropolitan Planning Organization (MPO) Year 2040 Transportation Plan model analysis distribution of the projected additional p.m. peak hour trips indicates that the proposed amendment is projected to **adversely impact** one (1) roadway segment:

REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)

II. Transportation & Mobility (continued)

- An additional **150** projected p.m. peak hour trips on **Prospect Road**, between Commercial Boulevard and Powerline Road, which is projected to denigrate from an acceptable level of service (LOS) “D” to an unacceptable LOS “F,” with the addition of the trips generated by the proposed amendment.

Planning Council staff utilizes a “significance” threshold corresponding to additional p.m. peak hour trips in excess of three-percent (3%) of such capacity of a regional roadway link at the long-range planning horizon. Planning Council staff utilizes this significance threshold for several reasons, including a) per Policy 2.14.9 of the BrowardNext – Broward County Land Use Plan, a “significance” threshold corresponding to additional p.m. peak hour trips in excess of three-percent (3%) of such capacity of a regional roadway link at the long-range planning horizon, b) the threshold is also considered a margin of error to recognize that there is a range of potential permitted uses and development scenarios for any given land use plan designation, and c) recognition that all new development, independent of any land use plan amendment traffic analysis, is required to comply with Broward County traffic concurrency mitigation provisions, which is assessed at the plat/site planning stage.

The applicant has submitted a draft Declaration of Restrictive Covenants which restricts the proposed amendment site to 273 single-family dwelling units and 132 townhouse dwelling units. See Attachment 3. Based on the restriction and alternative traffic analysis, the proposed amendment is projected to increase the net number of p.m. peak hour vehicle trips on the regional transportation network by approximately 279 p.m. peak hour trips. See Attachment 4.

Distribution of the projected additional p.m. peak hour trips as restricted indicates that the proposed amendment is still projected to adversely impact the operating conditions of the regional transportation network, indicating an adverse impact to the affected roadway segment of Prospect Road, between Commercial Boulevard and Powerline Road.

To address the anticipated adverse impact to the regional transportation network, the applicant has voluntarily committed to the following transportation improvements at Northwest 21 Avenue and Prospect Road:

- Construct dual westbound left-turn lanes, including storage and signalization;
- Install a protected-only eastbound left-turn phase and a protected-to-permissive northbound left-turn phase;
- Construct a 200-foot eastbound right-turn storage lane; and
- Construct a continuous second through lane on Northwest 21 Avenue between Prospect Road and Northwest 44 Street.

See Attachments 5.A. and 5.B.

REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)

II. Transportation & Mobility (continued)

The proposed transportation improvements have been reviewed by the Broward County Traffic Engineering Division, and have been determined to adequately mitigate the adverse impacts to the regional transportation network. See Attachment 6.

Update: April 16, 2019: The applicant provided an updated draft declaration of restrictive covenants regarding the dwelling unit restriction and a draft declaration of restrictive covenants regarding the transportation improvements to mitigate traffic impacts resulting from the proposed amendment. See Attachments 23 and 24.

Planning Council staff notes, for informational purposes only, the following roadway levels of service for adjacent regional roadway network segments:

- **Commercial Boulevard**, between Northwest 21 Avenue and Northwest 31 Avenue, is currently operating at level of service (LOS) “C,” and is projected to operate at LOS “F,” with or without the subject amendment.
- **Northwest 44 Street**, between Northwest 21 Avenue and Northwest 31 Avenue, is currently operating at and is projected to continue operating at LOS “D,” with or without the subject amendment.
- **Northwest 21 Avenue**, between Oakland Park Boulevard and Commercial Boulevard, is currently operating at and is projected to continue operating at LOS “F,” with or without the subject amendment.
- **Northwest 31 Avenue**, between Oakland Park Boulevard and Commercial Boulevard, is currently operating at LOS “C,” and is projected to operate at LOS “F,” with or without the subject amendment.

In addition, the Broward County Transit Division (BCT) staff report states that current and planned transit service is provided within one-quarter mile of the proposed amendment site. The BCT staff also notes that any proposed redevelopment on the amendment site should be designed to provide safe movement for pedestrians and bicycles, including connectivity to the existing sidewalk and bicycle network and bus stops. See Attachment 7.

The Broward County Planning and Development Management Division (PDMD) staff recommends improving existing pedestrian and bicycle infrastructure surrounding the site. The PDMD staff identifies that bicycle lanes are currently planned to be constructed on Prospect Road adjacent to the amendment site, however, there are no bicycle lanes on Northwest 44 Street or Northwest 21 Avenue. Further, it is recommended that the site be designed to include safe and convenient connections between the development and the surrounding transportation network. Amenities, such as pedestrian-scale lighting, bicycle racks and repair stations, as well as shade trees, should be incorporated into the site design. The installation of electric vehicle charging stations should also be considered. See Attachment 8.

REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)

III. Public Schools

The School Board of Broward County staff report states that the proposed amendment would generate a maximum of 188 additional students into Broward County Public Schools, consisting of 94 elementary school students, 45 middle school students, and 49 high school students. The report further states that Oriole Elementary, Lauderdale Lakes Middle and Boyd Anderson High schools are all under-enrolled in the 2017/2018 school year, and are anticipated to operate below the adopted level of service (LOS) of 100% of gross capacity through the 2019/2020 school year. In addition, the School Board report indicates that there are five (5) charter schools located within a two-mile radius of the proposed amendment site. See Attachment 9.

The School Board report indicates that there are no planned improvements for the affected elementary, middle and high schools in the currently adopted 5-year or 10-year School Board District Educational Facilities Plans. Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "C," which is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area. In addition, the residential dwelling units will be subject to a public school concurrency review at the plat or site plan phase of development review, whichever comes first. See Attachment 9.

Further, the School Board report indicates that an approximate 6.0 gross acre portion of the amendment site is subject to an existing Educational Mitigation Agreement as a result of previous BCLUP amendment PC 04-22. See Attachment 9. The applicant has provided correspondence acknowledging that it will coordinate with the School Board of Broward County regarding the existing Educational Mitigation Agreement. See Attachment 10.

SECTION IV
AMENDMENT REPORT
PROPOSED AMENDMENT PC 19-2

REVIEW OF NATURAL RESOURCES

I. Designated Protected/Regulated Areas

The Broward County Environmental Protection and Growth Management Department (EPGMD) report indicates that the proposed amendment site does not contain Natural Resource Areas, Local Areas of Particular Concern, or Urban Wilderness Inventory sites within its boundaries. See Attachment 11.

II. Wetlands

The EPGMD report indicates that wetlands may be present on the proposed amendment site. Any work in, on, over or under wetlands or surface waters, including filling and excavating, require an Environmental Resource License. See Attachment 11. The applicant has provided correspondence indicating that all the required permitting and licensing necessary for residential development of the property will be obtained. See Attachment 12.

III. Sea Level Rise

The EPGMD report indicates that the proposed amendment site does not contain, fall within, or overlap with an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map. See Attachment 11.

IV. Other Natural Resources

The EPGMD report indicates that the subject site contains mature tree canopy. Development of the site must comply with the Tree Preservation Regulations of the City of Oakland Park. The applicant is required to minimize the number of trees to be removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use plan amendment is not expected to have a negative impact on upland resources. See Attachment 11. The applicant has provided correspondence indicating that existing trees will be evaluated for size, location and health, in an effort to minimize the number of trees removed from the site. The site design will incorporate as many existing trees as feasible, and will conform to the City of Oakland Park's landscaping requirements. Further, the endangered common wild air plant located on the subject property will be protected on-site. See Attachment 13.

REVIEW OF NATURAL RESOURCES (continued)

IV. Other Natural Resources (continued)

It is further noted that development of the proposed amendment site should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. See Attachment 11.

The EPGMD report indicates that the proposed amendment would involve a minor percentage of impervious area and that the development resulting from the proposed amendment would result in a net decrease in the volume of water available for recharge. The change in recharge capacity resulting from the proposed amendment would be minor. See Attachment 11. The applicant has provided correspondence identifying that the redevelopment of the site includes constructing a drainage system that will convey onsite stormwater directly to surface water bodies to reduce stormwater exposure to arsenic associated with the former golf course use and thereby improving the quality of the groundwater. See Attachment 14. Further, the applicant is coordinating with the City of Oakland Park to maintain the rating that the City has under the Community Rating System for flood protection. See Attachment 15.

Planning Council staff notes that the proposed amendment site includes lands currently or historically used as a golf course, which have a high potential for arsenic contamination. As such, the proposed amendment is subject to BrowardNext - Broward County Land Use Plan (BCLUP) Policy 2.5.5(d), which requires that the level of environmental contamination be determined by conducting Phase I environmental assessment, as well as a Phase II environmental assessment if necessary. The policy also requires that any environmental contamination found during these assessments must be mitigated. In this regard, the applicant has provided Phase I and Phase II environmental assessments. See Attachment 16 for a summary. The full report is on file at the Planning Council office and is available for review.

The Broward County Environmental Engineering and Permitting Division (EPPD) staff has confirmed that the environmental assessments are consistent with the requirements of BCLUP Policy 2.5.5(d). In addition, the EPPD report indicates that staff has known that the amendment site is contaminated with arsenic and other herbicide and pesticide chemicals since 2013, resulting in the execution of Environmental Assessment and Remediation (EAR) license #1155 and a Declaration of Restrictive Covenants for the site. Further, the EPPD will require a Remedial Action Plan (RAP) detailing how the site will be cleaned up prior to development. See Attachment 17. The applicant has provided correspondence acknowledging that an EAR license will be required prior to the issuance of any construction permits, and further stating that it will perform the assessment and cleanup of the site as required by State and County codes. See Attachment 18.

REVIEW OF NATURAL RESOURCES (continued)

V. Historical/Cultural Resources

The Broward County Planning and Development Management Division report states that the proposed amendment will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. See Attachment 8.

SECTION V
AMENDMENT REPORT
PROPOSED AMENDMENT PC 19-2

OTHER PLANNING CONSIDERATIONS/INFORMATION

I. Affordable Housing

The proposed land use plan amendment is subject to BrowardNext - Broward County Land Use Plan (BCLUP) Policy 2.16.2, as it proposes 335 additional residential units to be permitted by the BCLUP. The Planning and Development Management Division (PDMD) report notes that the applicant submitted an affordable housing analysis, dated May 2018, and it has been found by the PDMD staff to be generally consistent with Policy 2.16.2. See Attachment 8.

The study indicates an overall surplus of 2,044 affordable housing units within the City of Oakland Park; however, there is a deficit of 25 moderate-income owner units and 1,852 very low-income rental units. The PDMD staff identifies that the affordable housing study does not provide a future demand/supply forecast and recommends that, prior to the second Planning Council public hearing, the City provide additional information regarding its future supply of affordable housing and plans to address the current and future supply of affordable owner and rental housing units. See Attachment 8.

As of this writing, it is Planning Council staff's understanding that the City of Oakland Park 1) has requested revisions to the applicant's affordable housing analysis, and 2) that the City is conducting an affordable housing study that it will submit in conjunction with the applicant's affordable housing analysis. Upon receipt, Planning Council staff will forward the revised affordable housing analysis and municipal study to PDMD for its review prior to the Planning Council second public hearing.

Update: April 16, 2019: Planning Council staff notes that the applicant's affordable housing analysis, dated May 2018, was found to be generally consistent with Policy 2.16.2 prior to the first Planning Council public hearing. See Attachment 8. Further, consistent with the Broward County Planning and Development Management Division (PDMD) staff's request for additional information, the City of Oakland Park submitted an updated Affordable Housing Market Assessment, dated March 7, 2019, to provide additional information regarding its plans, policies and programs to address the current and future supply of affordable owner and rental housing units. The PDMD staff continue to find the City's housing analysis generally consistent with Policy 2.16.2, however, it recommends that the City 1) consider establishing a Housing Trust Fund to provide gap financing for new multi-family affordable rental units and 2) provide a copy of the City's forthcoming Comprehensive Housing Study for County review of findings. See Attachments 25 and 26.

OTHER PLANNING CONSIDERATIONS/INFORMATION (continued)

I. Affordable Housing (continued)

Update: April 25, 2019: The applicant voluntarily committed to pay a \$500 contribution per dwelling unit towards affordable housing.

II. BrowardNext - Broward County Land Use Plan Policies

The proposed amendment is found to be generally consistent with the policies of BrowardNext - Broward County Land Use Plan. In addition, the proposed amendment has been evaluated for consistency and compliance with the policies of the BrowardNext - Broward County Land Use Plan regarding "Parks/Conservation," as the amendment site is a former golf course. See Attachment 19.

III. Other Pertinent Information

The proposed amendment site is located adjacent to the municipalities of Tamarac, Lauderdale Lakes and Fort Lauderdale. Planning Council staff solicited comments from each of the adjacent local governments. No comments have been received from said municipalities as of this writing.

The applicant conducted several community outreach meetings to present the proposed development plan to the neighboring residential owners. The applicant has provided a summary of the public outreach efforts. See Attachment 20.

Regarding notification of the public, the *Administrative Rules Document: BrowardNext* requires courtesy notification to property owners and those owners within a 300-foot radius of the amendment site. Broward County Planning Council staff sent 559 courtesy notices to all property owners within the land use plan amendment boundaries, as well as within 300 feet of the boundaries.

SECTION VI
AMENDMENT REPORT
PROPOSED AMENDMENT PC 19-2

PLANNING ANALYSIS

Our analysis finds that the proposed land use designation of Irregular (2.88) Residential would be generally compatible with the surrounding existing single-family and multi-family residential land uses, as well as the non-residential land uses, including office, warehouse, a religious institution and an education facility, generally located along Prospect Road.

Planning Council staff's analysis also finds that adequate **potable water plant capacity and supply, and sanitary sewer, solid waste and drainage capacity and park acreage** will be available to serve the proposed land use. It is noted that the proposed land use plan amendment will not impact the available park and open space acreage, as the City does not include any portion of the former Oak Tree golf course in its certified parks and open space inventory. The City continues to meet both its adopted LOS and the BCLUP community parks acreage requirement of 3 acres per one thousand existing and projected population. See Attachment 1. In addition, the applicant has submitted a draft Declaration of Restrictive Covenants which reserves a minimum of 9.0 acres of the property for community recreation and open space, the location of which will be determined in coordination with the City at the time of site plan review. See Attachment 3. Further, no adverse impacts to **cultural resources** were identified.

Regarding anticipated adverse impacts to the **regional transportation network** resulting from the proposed amendment, the applicant has voluntarily committed to restrict the dwelling unit types to 273 single-family dwelling units and 132 townhouse dwelling units. See Attachment 3. Based on the restriction and alternative traffic analysis, the proposed amendment is projected to increase the net number of p.m. peak hour vehicle trips on the regional transportation network by approximately 279 p.m. peak hour trips. Distribution of the projected additional p.m. peak hour trips as restricted indicates that the proposed amendment is still projected to adversely impact the operating conditions of the regional transportation network, indicating an adverse impact to the affected roadway segment of Prospect Road, between Commercial Boulevard and Powerline Road. See Attachment 4.

To address the anticipated adverse impact to the regional transportation network, the applicant has voluntarily committed to several transportation improvements along Northwest 21 Avenue, including at the intersection of Prospect Road, for construction of left-turn lanes and signalization, as well as right-turn lanes and a second through lane. See Attachments 5.A. and 5.B. The proposed transportation improvements have been reviewed by the Broward County Traffic Engineering Division, and have been determined to adequately mitigate the adverse impacts to the regional transportation network. See Attachment 6.

PLANNING ANALYSIS (continued)

Update: April 16, 2019: The applicant has provided an updated draft declaration of restrictive covenants regarding the dwelling unit restriction and a draft declaration of restrictive covenants regarding the transportation improvements to mitigate traffic impacts resulting from the proposed amendment. See Attachments 23 and 24.

Concerning impacts to **public schools**, the School Board of Broward County staff report indicates that the proposed amendment would generate a maximum of 188 additional students into Broward County Public Schools, consisting of 94 elementary school students, 45 middle school students and 49 high school students. However, the report states that Planning Area “C” is anticipated to have sufficient excess capacity to support the students generated by the proposed amendment. Further, the report identifies that an approximate 6.0 gross acre portion of the amendment site is subject to an existing Educational Mitigation Agreement as a result of previous BCLUP amendment PC 04-22. See Attachment 9. The applicant has provided correspondence acknowledging that it will coordinate with the School Board of Broward County regarding the existing Educational Mitigation Agreement. See Attachment 10.

Regarding impacts to **natural resources**, the EPGMD report indicates that the proposed amendment would result in a net decrease in the volume of water available for recharge. See Attachment 11. The applicant has provided correspondence identifying that redevelopment of the site includes constructing a drainage system that will convey onsite stormwater directly to surface water bodies to reduce stormwater exposure to arsenic associated with the former golf course use and thereby improving the quality of the groundwater. See Attachment 14. Further, the applicant is coordinating with the City of Oakland Park to maintain the rating that the City has under the Community Rating System for flood protection. See Attachment 15.

In addition, the proposed amendment site includes lands currently or historically used as a golf course, which have a high potential for arsenic contamination. In this regard, the applicant has provided Phase I and Phase II environmental assessments and has executed an Environmental Assessment and Remediation (EAR) license and a Declaration of Restrictive Covenants for the site. See Attachment 16 for a summary. The Broward County Environmental Engineering and Permitting Division (EPPD) staff has confirmed that the environmental assessments provided are consistent with the requirements of BCLUP Policy 2.5.5(d). Further, the EPPD will require a Remedial Action Plan (RAP) detailing how the site will be cleaned up prior to development. See Attachment 17. The applicant has provided correspondence acknowledging that an EAR license will be required prior to the issuance of any construction permits, and further stating that it will perform the assessment and cleanup of the site as required by State and County codes. See Attachment 18.

PLANNING ANALYSIS (continued)

Regarding **affordable housing**, the proposed land use plan amendment is subject to BCLUP Policy 2.16.2, as it proposes 335 additional residential units to be permitted by the BCLUP. The Planning and Development Management Division (PDMD) report notes that the applicant submitted an affordable housing analysis, dated May 2018, and it has been found by the PDMD staff to be generally consistent with Policy 2.16.2. Further, the PDMD staff has requested that, prior to the second Planning Council public hearing, the City of Oakland Park provide additional information regarding the City's future supply of affordable housing and plans to address the current and future supply of affordable owner and rental housing units. See Attachment 8.

In conclusion, Planning Council staff finds the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved, recognizing the applicant's voluntary commitments to 1) dedicate a minimum of 9.0 acres of the property for community recreation and open space, 2) restrict the dwelling units to 273 single-family dwelling units and 132 townhouse dwelling units and 3) mitigate the impacts to the transportation network resulting from the proposed amendment, as well as the applicant's confirmation to 1) coordinate with the School Board regarding the existing Educational Mitigation Agreement for a 6.0 gross acre portion of the property related to BCLUP amendment PC 04-22, 2) comply with the environmental licensing and permitting requirements to redevelop the property with a residential use and 3) coordinate with the City to maintain the municipality's current Community Rating System with the flood insurance program.

Further, the applicant, in coordination with the City, will provide an updated affordable housing analysis to address the PDMD comments prior to a second Planning Council public hearing consistent with the Council's revised Rules.

Update: April 16, 2019: Planning Council staff notes that the applicant's affordable housing analysis, dated May 2018, was found to be generally consistent with Policy 2.16.2 prior to the first Planning Council public hearing. See Attachment 8. Further, consistent with the Broward County Planning and Development Management Division (PDMD) staff's request for additional information, the City of Oakland Park submitted an updated Affordable Housing Market Assessment, dated March 7, 2019, to provide additional information regarding its plans, policies and programs to address the current and future supply of affordable owner and rental housing units. The PDMD staff continue to find the City's housing analysis generally consistent with Policy 2.16.2, however, it recommends that the City 1) consider establishing a Housing Trust Fund to provide gap financing for new multi-family affordable rental units and 2) provide a copy of the City's forthcoming Comprehensive Housing Study for County review of findings. See Attachments 25 and 26. In conclusion, Planning Council staff continues to find the proposed amendment generally consistent with the policies of the BrowardNext - Broward County Land Use Plan, recommending that the proposed amendment be approved subject to the applicant's voluntary commitments identified above.

SECTION VII
AMENDMENT REPORT
PROPOSED AMENDMENT PC 19-2

ATTACHMENTS

1. Broward County Planning Council Supplemental Report of January 2019
2. Broward County Planning Council Traffic Analysis of October 15, 2018
3. Draft Declaration of Restrictive Covenants regarding open space dedication and dwelling unit restriction, received November 1, 2018
4. Broward County Planning Council Alternate Traffic Analysis of November 2, 2018
5.
 - A. Correspondence from Natalia Thais Lercari, PE, McMahon Associates, Inc., to Andrew G. Sebo, PE, PTOE, Interim Director, Broward County Traffic Engineering Division, dated December 5, 2018
 - B. Correspondence from Dennis D. Mele, Esq., Greenspoon Marder, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated January 7, 2019
6. Email correspondence from Andrew G. Sebo, PE, PTOE, Interim Director, Broward County Traffic Engineering Division, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated December 18, 2018
7. Broward County Transit Division Report of September 24, 2018
8. Broward County Planning and Development Management Division Report of September 19, 2018
9. School Board of Broward County Consistency Review Report of September 13, 2018
10. Correspondence from Dennis D. Mele, Esq., Greenspoon Marder, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated November 1, 2018
11. Broward County Environmental Protection and Growth Management Department Report of September 18, 2018
12. Correspondence from Dennis D. Mele, Esq., Greenspoon Marder, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated November 1, 2018
13. Correspondence from Dennis D. Mele, Esq., Greenspoon Marder, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated January 7, 2019

ATTACHMENTS (continued)

14. Correspondence from Dennis D. Mele, Esq., Greenspoon Marder, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated November 1, 2018
15. Correspondence from Dennis D. Mele, Esq., Greenspoon Marder, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated November 1, 2018
16. Summary of Phase I and Phase II Environmental Assessments dated December 6, 2016
17. Broward County Environmental Engineering and Permitting Division Report of August 22, 2018
18. Correspondence from Dennis D. Mele, Esq., Greenspoon Marder, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated November 1, 2018
19. BrowardNext - Broward County Land Use Plan Policies, "Parks/Conservation," Planning Council Staff Review Comment
20. Community Outreach Meeting Summary provided by Applicant
21. Broward County Parks and Recreation Division Report of September 17, 2018
22. Broward County Water Management Division Report of September 18, 2018

Update: April 16, 2019:

23. Updated Draft Declaration of Restrictive Covenants regarding dwelling unit restriction, received April 8, 2019
24. Draft Declaration of Restrictive Covenants regarding transportation improvements to mitigate traffic impacts, received April 8, 2019
25. Correspondence from David Hebert, City Manager, City of Oakland Park, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated March 26, 2019
26. Correspondence from Josie P. Sesodia, AICP, Director, Broward County Planning and Development Management Division, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated April 5, 2019

ATTACHMENT 1

BROWARD COUNTY PLANNING COUNCIL SUPPLEMENTAL REPORT PUBLIC SERVICES AND FACILITIES

BROWARD COUNTY LAND USE PLAN AMENDMENT NUMBER PC 19-2

Prepared: January 2019

POTABLE WATER

The proposed amendment site will be served by the Fiveash and Peele-Dixie Water Treatment Plants, which have a combined current capacity of 82 million gallons per day (mgd). The current and committed demand on the treatment plants is 42.82 mgd, with 39.18 mgd available. The wellfields serving the amendment site have a permitted withdrawal of 52.55 mgd, with 9.73 mgd available for water withdrawal, which expires on September 11, 2028. Planning Council staff utilized level of service of 119 gallons per capita (2.35 persons per household (pph)) per day for residential uses. The amendment will result in a net increase of 0.09 mgd on the projected demand for potable water. Sufficient potable water supply and treatment capacity will be available to serve the proposed amendment site.

SANITARY SEWER

The proposed amendment site will be served by the North Regional Wastewater Treatment Plant, which has a current capacity of 95 mgd. The current and committed demand on the treatment plant is 68.24 mgd, with 26.76 mgd available. Planning Council staff utilized a level of service of 150 gallons per capita (2.35 pph) per day for residential uses. The amendment will result in a net increase in demand of 0.12 mgd. Sufficient sanitary sewer capacity will be available to serve the proposed amendment site.

SOLID WASTE

The proposed amendment site will be served by Sun Bergeron, Inc. for solid waste disposal service. The City of Oakland Park collects and transports the City's solid waste to the Sun Bergeron Davie Facility. Sun Bergeron uses the John E. Drury (JED) landfill, which has a capacity of 3,836,210 tons per year and a demand of 60,000 tons a year from the City. Planning Council staff utilized a level of service of 8 pounds per capita (2.35 pph) per day for residential uses. The amendment will result in a net increase in demand of 6,298 pounds per day or 3.15 TPD. Sufficient solid waste capacity will be available to serve the proposed amendment site.

DRAINAGE

The proposed amendment site is located within the jurisdiction of the Broward County Environmental Protection and Growth Management Division (EPGMD). A surface water management permit from EPGMD may be required prior to any construction.

PARKS AND OPEN SPACE

The City of Oakland Park has 189.59 acres in its parks and open space inventory. The 2040 projected population (52,129) requires approximately 156.39 acres to meet the Broward County Land Use Plan (BCLUP) community parks acreage requirement of 3 acres per one thousand persons population. The proposed land use amendment will result in an increase of 2.36 acres on the projected demand for local parks. The City of Oakland Park continues to meet the community parks acreage requirement of the BCLUP of 3 acres per one thousand persons population. It is noted that the applicant has submitted a draft Declaration of Restrictive Covenants which reserves a minimum of 9.0 acres of the property for community recreation and open space, the location of which will be determined in coordination with the City at the time of site plan review. See Attachment 3.

ATTACHMENT 2

TRAFFIC ANALYSIS PC 19-2

Prepared: October 15, 2018

INTRODUCTORY INFORMATION

Jurisdiction: City of Oakland Park

Size: Approximately 140.7 acres

TRIPS ANALYSIS

Potential Trips - Current Land Use Designations

Current Designations: 132.7 acres of Recreation and Open Space
6.0 acres of Low-Medium (10) Residential
2.0 acres of Low (5) Residential

Potential Development: 132.7 acres of recreation and open space
60 multi-family dwelling units
10 single-family dwelling units

Trip Generation Rates: "ITE Equation (411) Public Park"*
"ITE Equation (220) Multifamily Housing (Low-Rise)"
"ITE Equation (210) Single-Family Detached Housing"

Total P.M. Peak Hour Trips: $31 + 41 + 12 = 84$ peak hour trips

Potential Trips - Proposed Land Use Designation

Proposed Designation: Irregular (2.88) Residential

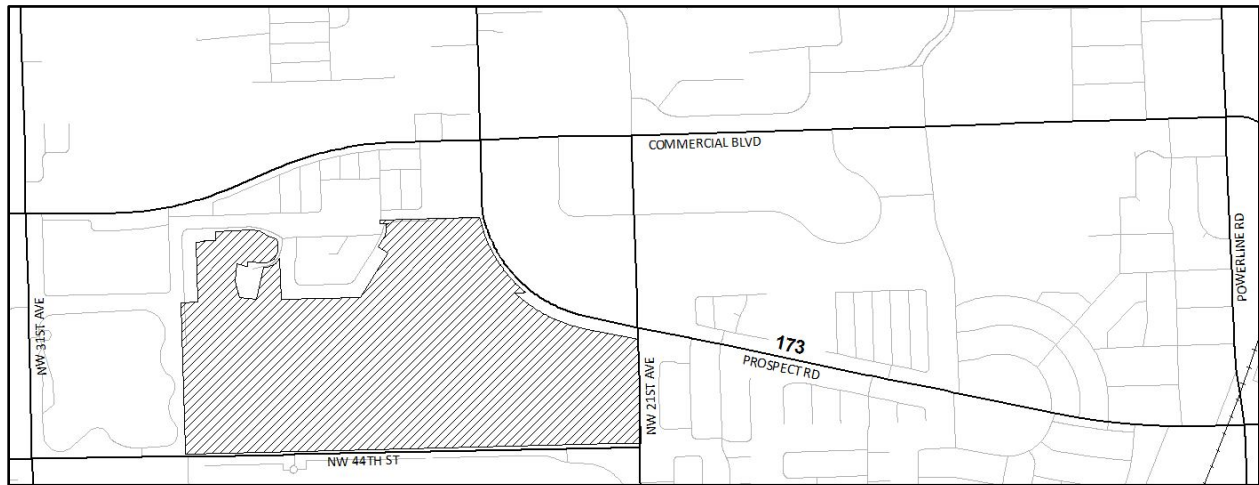
Potential Development: 405 single-family dwelling units

Trip Generation Rate: "ITE Equation (210) Single-Family Detached Housing"

Total P.M. Peak Hour Trips: 405 peak hour trips

Net P.M. Peak Hour Trips **+321 peak hour trips**

*Institute of Transportation Engineers (ITE) traffic generation equations from "Trip Generation Manual- Tenth Edition," the professionally accepted methodology for estimating the number of vehicle trips likely to be generated by a particular land use.



Affected Regional Transportation Network Without the Proposed Amendment: Traffic 2040:

<u>Trafficway</u>	<u>Section</u>	<u>VOL</u>	<u>CAP</u>	<u>LOS</u>
1. Prospect Road	Commercial Boulevard to Powerline Road	3,382	3,401	D

Affected Regional Transportation Network With the Proposed Amendment: Traffic 2040:

<u>Trafficway</u>	<u>Section</u>	<u>VOL</u>	<u>CAP</u>	<u>LOS</u>
1. Prospect Road	Commercial Boulevard to Powerline Road	3,555	3,401	F

PLANNING COMMENTS

The proposed amendment is projected to increase traffic on the regional roadway network by approximately 321 p.m. peak hour trips at the long-term planning horizon. Distribution of the projected additional p.m. peak hour trips indicates that the proposed amendment would exacerbate impacts on one (1) affected roadway segment, Prospect Road, between Commercial Boulevard and Powerline Road. This roadway segment denigrates from an acceptable level of service (LOS) “D” to an unacceptable LOS “F,” with the addition of the trips generated by the proposed amendment.

ATTACHMENT 3

Return to: (enclose self-addressed stamped envelope)

Name: Mark J. Lynn, Esq.

Address:

Greenspoon Marder LLP
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

This Instrument Prepared by:

Mark J. Lynn, Esq.
Greenspoon Marder LLP
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301



SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Covenant") made this _____ of _____, 2018, by BLACKWOOD PARTNERS, LLC, A Florida limited liability company, and BLACKSHORE PARTNERS, LLC, a Florida limited liability company, (collectively, "Owner"), which shall be for the benefit of THE CITY OF OAKLAND PARK, a municipal corporation ("City"), and BROWARD COUNTY, FLORIDA, a political subdivision of the State of Florida ("County").

WITNESSETH:

WHEREAS, Owner is the fee simple owner of land located in the City, more particularly described in **Exhibit "A"** ("Property"); and

WHEREAS, Owner made an application to the City and County to amend the City and County land use plans to designate the Property as Irregular (2.88) Residential (collectively "Application"); and

WHEREAS, in connection with the Application to amend the City and County land use plans, Owner has voluntarily agreed to place certain restrictions on the development of the Property as set forth below in favor of the City and County.

NOW, THEREFORE, in consideration of the foregoing premises and the promises and covenants herein contained, Owner hereby declares that the Property shall be subject to the covenants, restrictions, and regulations hereinafter set forth, all of which shall run with the land and which shall be binding upon all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns.

1. Recitations. The recitals set forth above are true and correct and are incorporated into this Covenant by this reference.

2. Recreation and Open Space. No building permit for a residential dwelling unit shall be issued for the Property until a site plan is approved by the City which provides that nine (9) acres of the Property are reserved for community recreation and open space. The exact location of the community recreation and open space shall be determined by the City at the time of final site plan approval.

3. Maximum Dwelling Units. Owner acknowledges that the Property shall be limited to a maximum of 405 dwelling units including 273 single-family units and 132 townhouse units.

4. Except as otherwise provided herein, this Covenant shall not be modified, amended or released as to any portion of the Property except by written instrument, executed by the then owner or owners(s) of the portion of the Property affected by such modification, amendment, or release and approved in writing by the City and County. The appropriate governmental authority of the City and County shall execute a written instrument effectuating and acknowledging such modification, amendment or release. Any amendment, modification or release of this Covenant shall be recorded in the Public Records of Broward County, Florida.

5. Recordation and Effective Date. This Covenant shall be effective and recorded in the Public Records of Broward County, Florida, upon approval by the City and County of the requested Application and the expiration of all appeal periods or, if an appeal is filed, the final conclusion of such appeal in a manner that does not materially and adversely affect the City's or the County's approval of the Application. Once recorded, this Covenant shall run with the land for the sole benefit of the City and County and shall bind all successors-in-interest with respect to the Property. This Covenant shall not give rise to any other cause of action by any parties other than the City and County, and no parties other than the City and County shall be entitled to enforce this Covenant. Any failure by the City or County to enforce this Covenant shall not be deemed a waiver of the right to do so thereafter.

6. Severability. If any court of competent jurisdiction shall declare any section, paragraph or part of this Covenant invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph or part hereof, and the same shall remain in full force and effect. The agreed upon venue for any disputes arising hereunder shall be Broward County, Florida.

7. Captions, Headings and Titles. Articles and paragraph captions, headings and titles inserted throughout this Covenant are intended as a matter of convenience only and in no way shall such captions, headings or titles define, limit or in any way affect the subject matter or any of the terms and provisions thereunder or the terms and provisions of this Covenant.

8. Context. Whenever the context requires or admits, any pronoun used herein may be deemed to mean the corresponding masculine, feminine or neuter form thereof, and the singular form of any nouns or pronouns herein may be deemed to mean the corresponding plural form thereof and vice versa.

IN WITNESS WHEREOF, Owner has executed this Covenant on the day first above written.

DRAFT

Signed, sealed and delivered

BLACKWOOD PARTNERS, LLC, a Florida limited liability company

By: Blackfin Properties & Investments, LLLP, a Florida limited liability limited partnership, manager

By: Blackpool Associates, Inc., a Florida corporation, its general partner

Printed Name: _____

Print Name: _____

By: _____
William M. Murphy, President

STATE OF FLORIDA)
) SS:
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by William M. Murphy, as President of Blackpool Associates, Inc., a Florida corporation, general partner of Blackfin Properties & Investments, LLLP, a Florida limited liability limited partnership, manager of Blackwood Partners, LLC, a Florida limited liability company. He is personally known to me or has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2018.

Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires:

Signed, sealed and delivered

BLACKSHORE PARTNERS, LLC, a Florida limited liability company

By: Blackfin Properties & Investments, LLLP, a Florida limited liability limited partnership, manager

By: Blackpool Associates, Inc., a Florida corporation, its general partner

Printed Name: _____

Print Name: _____

By: _____
William M. Murphy, President

STATE OF FLORIDA)
) SS:
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by William M. Murphy, as President of Blackpool Associates, Inc., a Florida corporation, general partner of Blackfin Properties & Investments, LLLP, a Florida limited liability limited partnership, manager of Blackshore Partners, LLC, a Florida limited liability company. He is personally known to me or has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2018.

Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires:

**EXHIBIT A
LEGAL DESCRIPTION
PROPERTY**

DRAFT

ATTACHMENT 4

TRAFFIC ANALYSIS (as voluntarily restricted) PC 19-2

Prepared: November 2, 2018

INTRODUCTORY INFORMATION

Jurisdiction: City of Oakland Park

Size: Approximately 140.7 acres

TRIPS ANALYSIS

Potential Trips - Current Land Use Designations

Current Designations: 132.7 acres of Recreation and Open Space
6.0 acres of Low-Medium (10) Residential
2.0 acres of Low (5) Residential

Potential Development: 132.7 acres of recreation and open space
60 multi-family dwelling units
10 single-family dwelling units

Trip Generation Rates: "ITE Equation (411) Public Park"*
"ITE Equation (220) Multifamily Housing (Low-Rise)"
"ITE Equation (210) Single-Family Detached Housing"

Total P.M. Peak Hour Trips: $31 + 41 + 12 = 84$ peak hour trips

Potential Trips - Proposed Land Use Designation

Proposed Designation: Irregular (2.88) Residential

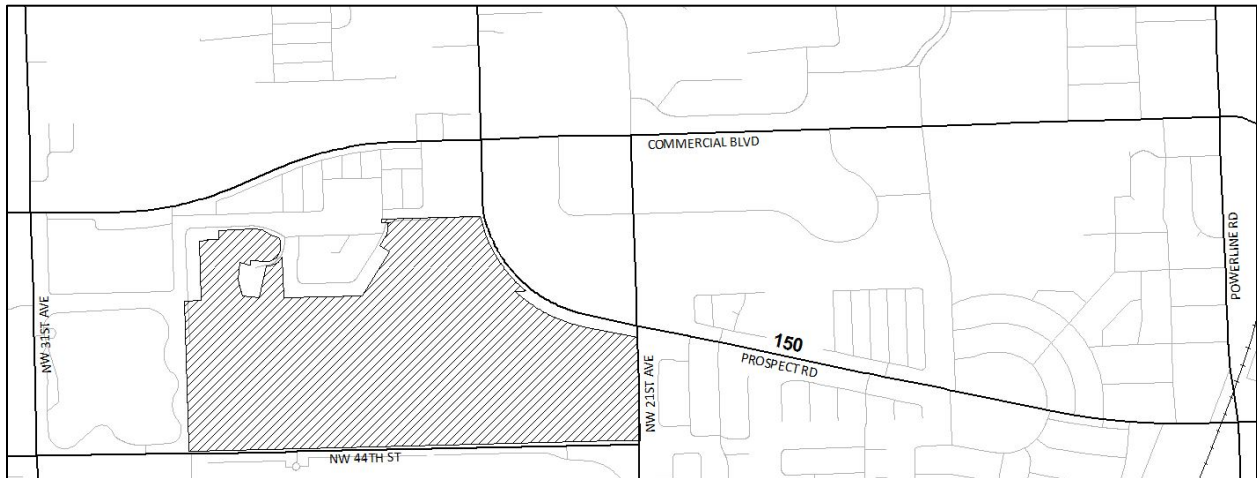
Potential Development: 273 single-family dwelling units
132 townhouse dwelling units

Trip Generation Rate: "ITE Equation (210) Single-Family Detached Housing"
"ITE Equation (220) Multifamily Housing (Low-Rise)"

Total P.M. Peak Hour Trips: $274 + 89 = 363$ peak hour trips

Net P.M. Peak Hour Trips + 279 peak hour trips

*Institute of Transportation Engineers (ITE) traffic generation equations from "Trip Generation Manual- Tenth Edition," the professionally accepted methodology for estimating the number of vehicle trips likely to be generated by a particular land use.



Affected Regional Transportation Network Without the Proposed Amendment: Traffic 2040:

<u>Trafficway</u>	<u>Section</u>	<u>VOL</u>	<u>CAP</u>	<u>LOS</u>
1. Prospect Road	Commercial Boulevard to Powerline Road	3,382	3,401	D

Affected Regional Transportation Network With the Proposed Amendment: Traffic 2040:

<u>Trafficway</u>	<u>Section</u>	<u>VOL</u>	<u>CAP</u>	<u>LOS</u>
1. Prospect Road	Commercial Boulevard to Powerline Road	3,532	3,401	F

PLANNING COMMENTS

The proposed amendment is projected to increase traffic on the regional roadway network by approximately 279 p.m. peak hour trips at the long-term planning horizon. Distribution of the projected additional p.m. peak hour trips indicates that the proposed amendment would exacerbate impacts on one (1) affected roadway segment, Prospect Road, between Commercial Boulevard and Powerline Road. This roadway segment denigrates from an acceptable level of service (LOS) “D” to an unacceptable LOS “F,” with the addition of the trips generated by the proposed amendment.

ATTACHMENT 5.A.



McMAHON ASSOCIATES, INC.
2090 Palm Beach Lakes Boulevard, Suite 400
West Palm Beach, FL 33409
p 561-840-8650 | f 561-840-8590

PRINCIPALS

Joseph J. DeSantis, P.E., PTOE
John S. DePalma
William T. Steffens
Casey A. Moore, P.E.
Gary R. McNaughton, P.E., PTOE

ASSOCIATES

John J. Mitchell, P.E.
Christopher J. Williams, P.E.
R. Trent Ebersole, P.E.
Matthew M. Kozsuch, P.E.
Maureen Chlebek, P.E., PTOE
Dean A. Carr, P.E.

FOUNDER

Joseph W. McMahon, P.E.

December 5, 2018



VIA E-MAIL

Mr. Andrew G. Sebo, P.E., PTOE
Broward County Traffic Engineering Division
2300 West Commercial Boulevard
Fort Lauderdale, FL 33309

**RE: Oak Tree LUPA Traffic Analysis – Broward County Submittal
McMahon Project No. L17218.01**

Dear Mr. Sebo:

McMahon Associates, Inc. (McMahon) has completed a traffic analysis for the Land Use Plan Amendment to Broward County for the proposed Oak Tree development, to be located generally west of Prospect Road, west of NW 21st Avenue and north of NW 44th Street. The current land use includes a mix of recreational and residential land uses. The proposed development, with an anticipated buildout year of 2024, will include residential uses with 273 single family units and 132 townhouse units. The site is graphically depicted on **Figure 1**. The site plan is attached in **Appendix A**.

Figure 1: Site Location



1.0 PLANNING COUNCIL TRAFFIC ANALYSIS

The planning council prepared an analysis for the Oak Tree project, dated October 24, 2018, attached in **Appendix B**. The analysis included the following information:

Current Land Use - The Current Land Use Designations for the site include 132.7 acres of Recreation and Open Space, 6.0 acres of Low-Medium (10) Residential and 2.0 acres of Low (5) Residential. This allows a potential development of 132.7 acres of recreation and open space, 60 multi-family dwelling units and 10 single family dwelling units. This development intensity generates 84 total PM peak hour trips.

Proposed Land Use - The Proposed Land Use Designation for the site includes Irregular (2.88) Residential. The applicant of the project has voluntarily restricted the site to 273 single family dwelling units and 132 townhouse dwelling units. This development intensity generates 363 total PM peak hour trips.

Net Increase in Trips - The net increase in trips between the current and proposed land use designations is 279 PM peak hour trips.

Affected Roadways - Based on increase in trips, as well as the model distribution for the site, also attached in Appendix B, the project is expected to be significant on the link of Prospect Road between Commercial Boulevard and Powerline Road, which is expected to be overcapacity in year 2040.

2.0 REVISED SIGNIFICANCE ANALYSIS

Based on Broward County criteria, the project will be considered significant on a roadway link where the project traffic is expected to be three (3) percent or more of the Level of Service (LOS) D link capacity threshold. The LOS D capacity threshold for Prospect Road between Commercial Boulevard and Powerline Road is 3,401 two-way, peak hour trips. Per the model distribution, the following includes the project distribution, associated project trips and percent significance along Prospect Road between Commercial Boulevard and Powerline Road (percentages have been rounded and modified slightly to ensure proper addition of percentages):

- Prospect Road, Commercial Boulevard to Project Entrance:
 - Distribution: 54 percent
 - Project Trips: 150 trips
 - Significance: 4.4 percent (significant per Broward County criteria)
- Prospect Road, Project Entrance to NW 21st Avenue:
 - Distribution: 25 percent
 - Project Trips: 70 trips
 - Significance: 2.1 percent (not significant per Broward County criteria)
- Prospect Road, NW 21st Avenue to Powerline Road:
 - Distribution: 11 percent
 - Project Trips: 31 trips
 - Significance: 0.9 percent (not significant per Broward County criteria)

Per the revised roadway significance analysis, the only roadway segment expected to be significant by the project is the roadway segment of Prospect Road from Commercial Boulevard to the Project Entrance.

3.0 ROADWAY MITIGATION IMPROVEMENTS

Based on coordination with staff from the City of Oakland Park, as well as comments expressed at the City of Oakland Park hearings for the project, roadway improvements are being proposed to mitigate project impacts from the proposed development. These improvements are focused at the intersection of Prospect Road and NW 21st Avenue (study intersection) and include the following:

- Modification of the northbound left turn phase from permitted only to protected plus permitted
- The construction of an exclusive eastbound right turn lane
- The addition of a westbound left turn lane, to provide for dual left turn lanes
- The extension of the existing two southbound lanes along NW 21st Avenue between Prospect Road and NW 44th Street. At NW 44th Street, the outside southbound lane would become a drop southbound right turn lane.

4.0 INTERSECTION ANALYSIS – PROSPECT ROAD AT NW 21 AVENUE

Traffic Volumes

Existing Counts - Turning movement counts were collected at the Prospect Road/NW 21st Avenue intersection on October 31, 2017, attached in **Appendix C**. The PM peak hour occurs between 5:00 and 6:00 PM.

Peak Season Factor – A Peak Season Conversion Factor (PSCF) of 1.04 was used for the analysis based on the *2017 Peak Season Factor Category Report*, provided by the Florida Department of Transportation (FDOT). The report is attached in Appendix C. Existing (Year 2017) peak-season traffic volumes were used to be consistent with the existing year utilized in the land use plan amendment submittal to the City of Oakland Park.

Compound Growth Rate – A compound growth rate was applied to Year 2017 peak-season conditions to estimate Year 2040 conditions. The compound growth rate was based on a review of 10-year, historical traffic counts (2007 to 2017), for the following traffic count stations:

- Station 86-7784: Prospect Road, S of Commercial Boulevard
- Station 86-9407: NW 21st Avenue, N of Prospect Road
- Station 86-7626: NW 21st Avenue, S of Prospect Road

A review of the data, attached in Appendix C, indicates a 0.07 percent compound growth rate. Therefore, to provide a conservative analysis, a 1.0 percent compound growth rate was used for the analysis.

Committed Development – Based on coordination with City of Oakland Park staff, committed development trips were added to the study intersection based on information obtained from the Residence Inn Traffic Study, prepared by Tinter Traffic LLC, dated September 4, 2014, excerpts of which are attached in Appendix C.

Project Trips – PM peak hour project trips for the land use amendment were based on the analysis provided by the Broward County Planning Council. The distribution percentages, and assignment of project trips, have been rounded and modified slightly to ensure proper balancing.

Table C-1 and Table C-2, attached in Appendix C, summarizes the PM peak hour volume calculations for year 2040 and year 2024, respectively.

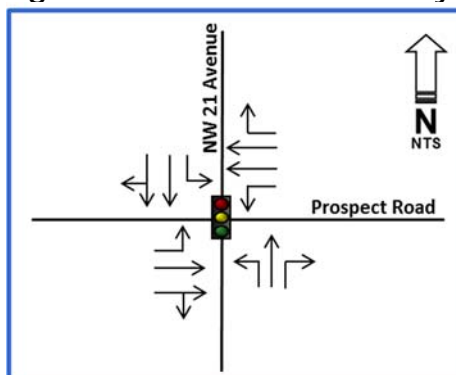
Intersection Capacity Analysis

Intersection capacity analysis was performed for the study intersection for six (6) scenarios. These include:

- Existing (2017) conditions
- Total (2024) buildout conditions
- Background (2040) conditions
- Total (2040) conditions
- Total (2040) conditions with eastbound right turn and westbound left turn
- Total (2040) conditions with eastbound right turn, westbound left turn and northbound permitted plus protected

Peak hour factors and truck factors were based on the collected data. Signal timings were obtained from Broward County and are included in **Appendix D**. Intersection capacity analysis worksheets for all scenarios are attached in Appendix D. The existing intersection geometry is graphically depicted on **Figure 2**. The intersection currently operates under permitted only phasing for the northbound, southbound and eastbound left turns, and permitted plus protected phasing for the westbound left turn. The intersection is not coordinated with any other traffic signal.

Figure 2: Intersection Geometry



Existing (2017) conditions

Results of the analysis, summarized in **Table 1**, indicate that the study intersection currently operates at an overall LOS C with 33.4 seconds of delay. All approaches and most travel movements operate at an acceptable LOS, with the exception of the westbound left turn, which operates at LOS F with 101.6 seconds of delay, and the northbound left turn, which operates at LOS E with 63.6 seconds of delay.

Total (2024) buildout conditions

Results of the analysis, summarized in Table 1, indicate that the study intersection is expected to operate at an overall LOS D at the project buildout with 41.3 seconds of delay. All approaches and most travel movements are expected to operate at an acceptable LOS, with the exception of the westbound left turn, which operates at LOS F with 89.7 seconds of delay, and the northbound left turn, which operates at LOS F with 138.6 seconds of delay.

Background (2040) conditions

Results of the analysis, summarized in Table 1, indicate that the study intersection is expected to operate at an overall LOS E with 62.3 seconds of delay. Most travel movements are expected to operate at an acceptable LOS, with the exception of the eastbound through, which operates at LOS E with 79.9 seconds of delay, the westbound left turn, which operates at LOS F with 176.2 seconds of delay, and the northbound left turn, which operates at LOS F with 199.1 seconds of delay.

Total (2040) conditions

Results of the analysis, summarized in Table 1, indicate that the study intersection is expected to operate at an overall LOS E with 72.0 seconds of delay. Most travel movements are expected to operate at an acceptable LOS, with the exception of the eastbound through, which operates at LOS F with 98.1 seconds of delay, the westbound left turn, which operates at LOS F with 208.3 seconds of delay, and the northbound left turn, which operates at LOS F with 199.5 seconds of delay.

Total (2040) conditions with eastbound right turn and westbound left turn

Results of the analysis, summarized in Table 1, indicate that the study intersection is expected to operate at an overall LOS D with 37.2 seconds of delay. Most travel movements are expected to operate at an acceptable LOS, with the exception of the westbound left turn, which operates at LOS F with 82.3 seconds of delay, and the northbound left turn, which operates at LOS F with 132.5 seconds of delay.

Total (2040) conditions with eastbound right turn, westbound left turn and northbound permitted plus protected

Results of the analysis, summarized in Table 1, indicate that the study intersection is expected to operate at an overall LOS D with 37.3 seconds of delay. Most travel movements are expected to operate at an acceptable LOS, with the exception of the westbound left turn, which operates at LOS E with 66.3 seconds of delay, and the northbound left turn, which operates at LOS E with 71.7 seconds of delay.

Table 1: INTERSECTION CAPACITY ANALYSIS SUMMARY – PM PEAK HOUR

SCENARIO	OVERALL		EB		WB		NB		SB	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Existing (2017)	33.4	C	28.2	C	41.0	D	22.7	C	30.8	C
Total (2024) Project Buildout	41.3	D	53.2	D	38.5	D	37.6	D	39.0	D
Background (2040)	62.3	E	79.5	E	69.9	E	42.7	D	43.2	D
Total (2040)	72.0	E	97.5	F	82.6	F	46.3	D	41.6	D
Total (2040) With EBRT & WBLT	37.2	D	34.4	C	42.1	D	34.7	C	30.2	C
Total (2040) With EBRT & WBLT & NBLT P+P	37.3	D	35.7	D	37.0	D	25.5	C	53.2	D

5.0 NORTHBOUND LEFT TURN PHASE WARRANT ANALYSIS

The guidelines in the Traffic Control Devices Handbook, 2nd Edition, which references the Florida Highway Administration (FHWA) Signal Timing Manual, were used to determine the potential need for modifications to the northbound left turn phase. The guidelines indicate that a left turn phase can be justified based on several factors including: crash history (not evaluated for this study), sight distance (not evaluated for this study), number of left turns and/or opposing through lanes, left turn and opposing through volumes, speed of opposing through traffic, and delay of left turn traffic. A flowchart using these guidelines for the northbound left turn movement is included in **Appendix E**.

Volume Criteria

The FHWA volume criteria provides two (2) conditions for evaluating the potential need for a left turn phase and include:

- a) Left turn volume is more than two (2) vehicles per cycle, and
- b) For one (1) lane of opposing traffic, the product of the left turning volume (V_{lt}) and the opposing volume (V_o) exceeds 50,000 during the peak hour, or
- c) For two (2) lane of opposing traffic, the product of the left turning volume (V_{lt}) and the opposing volume (V_o) exceeds 100,000 during the peak hour

Table 2 summarizes the volume criteria for the northbound left turn movement and indicates that the left turn volume is greater than 2.0 vehicles/cycle for the PM peak hour. For Volume Criteria (c), the cross product does not exceed the required threshold of 100,000 vehicles during the PM peak hour.

Table 2: FHWA Volume Criteria Summary - Northbound Approach

Left Turn Direction	Time	Left Turn Volume (V_{lt})	Cycles per Hour	Left Turn Vehicles per Cycle	Meets FHWA Left Turn Volume? (>2.0 veh./cyc.)	Opposing Conflicting Volume (V_o)	Cross Product ($V_{lt} \times V_o$)	Meets FHWA Cross Product Criteria? (>100,000)
Northbound	PM Peak Hour	118	32.7	4	Yes	730	86,140	No

Delay Criteria

The FHWA delay criteria recommends permissive plus protected or protected only left turn phasing if the delay equals to or is greater than 2.0 vehicle-hours (veh-hrs) and greater than 35 seconds per approach vehicle (sec/veh) during the peak hour. **Table 3** summarizes the results, which indicates that the 35 seconds per vehicle delay criteria was met for the northbound left turn movement during the PM peak hour. The total delay is also greater than 2.0 veh-hrs for the northbound left turn movement during the PM peak hour.

Table 3: FHWA Delay Criteria Summary

Time	Left Turn Lane	Average Delay per Approach Vehicle (sec/veh)	Meets FHWA Delay (>35 sec/veh)	Total Delay (veh-hrs)	Meets FHWA Minimum Total Delay (≥2.0 veh-hrs)
PM Peak Hour	NB	71.7	Yes	2.35	Yes

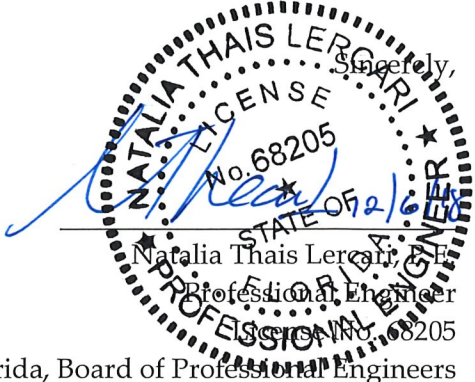
6.0 CONCLUSIONS AND RECOMMENDATIONS

McMahon has completed a traffic analysis for the Land Use Plan Amendment to Broward County for the proposed Oak Tree development. Based on the analysis contained herein, the project is expected to have a significant impact along Prospect Road near the project site based on Broward County criteria. Roadway mitigation improvements are being recommended at the Prospect Road/NW 21st Avenue intersection based on field observations, coordination with staff from the City of Oakland Park, as well as comments expressed at the City of Oakland Park hearings for the project. These include modification of the northbound left turn phase from permitted only to protected plus permitted phasing, the construction of an exclusive eastbound right turn lane, the addition of a westbound left turn lane, to provide for dual left turn lanes, and the extension of the two existing southbound lanes along NW 21st Avenue between Prospect Road and NW 44th Street. At NW 44th Street, the outside southbound lane would become a drop southbound right turn lane.

With the proposed roadway improvements, the Prospect Road/NW 21st Avenue is expected to operate at an acceptable level of Service in year 2040 for total traffic conditions, which includes traffic from the proposed development. Delays will be improved as compared to background year 2040 traffic conditions; therefore, project trips are mitigated.

The project buildout is anticipated by year 2024. Based on the analysis contained herein, the Prospect Road/NW 21st Avenue intersection is expected to operate at an overall acceptable LOS at the project buildout. All approaches are also expected to operate at an acceptable LOS. Therefore, the roadway improvements are proposed to be completed by 90 percent of the project buildout. The Certificate of Occupancy for the 365th unit will not be issued until all proposed roadway improvements are completed.

Should you have any questions or comments regarding these findings, please do not hesitate to call me.

Sincerely,

Natalia Thais Lercari, P.E.
Professional Engineer
License No. 68205
State of Florida

State of Florida, Board of Professional Engineers
Certificate of Authorization No. 4908

NTL/cc
Attachment

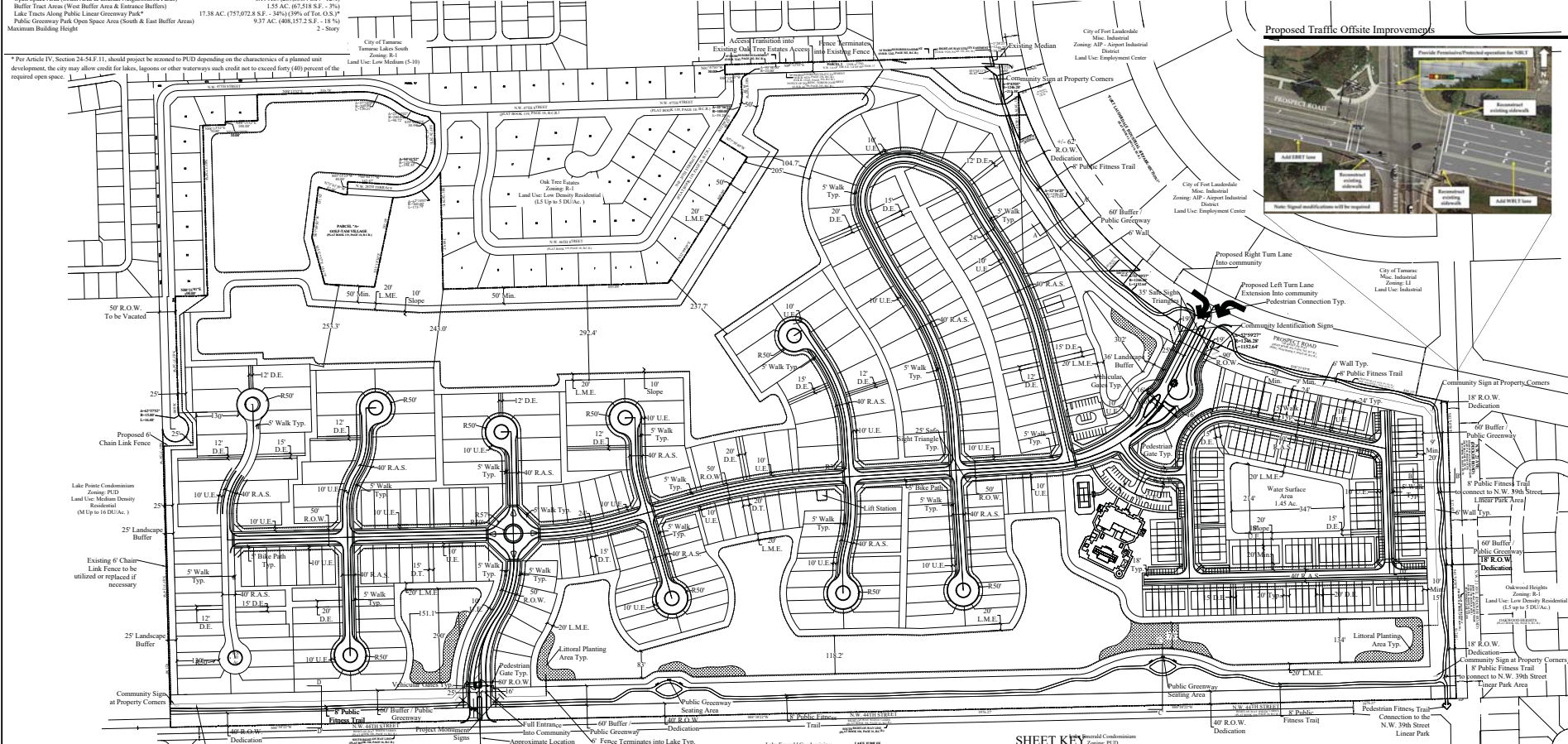
APPENDIX A

SITE PLAN

SITE DATA

Total Site Area - Net Acreage	139.16 AC. (6,061,809 S.F.)	Total Building Site Coverage Maximum - 30%	41.75 AC. (1,818,542 S.F.)
Total Site Area - Gross Acreage	140.70 AC. (6,178,992 S.F.)	Total Building Site Coverage Proposed	29.24 AC. (1,273,837 S.F. - 21%)
Existing Zoning Designation	Open Space / Recreation	Total Residential Parking Spaces Required	810 Spaces
Proposed Zoning Designation	PUD - Planned Unit Development	Single Family Parking Spaces Required (2 Spaces / Dwelling)	578 Spaces
Existing Land Use Designation	P.R. - Parks and Recreation	Townhome Parking Spaces Required (2 Spaces / Dwelling)	232 Spaces
Proposed Land Use Designation	Irregular Residential (2.88 D.U./AC)	Total Residential Parking Spaces Proposed**	876 Spaces
Current Use of Property	Vacant	Single Family Parking Spaces Proposed (2 Car Garage & 2 Driveway = 2 Spaces)	578 Spaces
Water and Sewer Provider	City of Fort Lauderdale	Townhome Parking Spaces Proposed (Townhome Guest Spaces)	232 Spaces
Total Number of Units	400 D.U.	Townhome Guest Spaces Proposed (Located within Townhome Parcel)	66 Spaces
Single Family 70' x 130' (3 - 4 Bedrooms)	80 D.U.	**Tandem: Garage & Driveway Spaces Counted as 1 Space Per D.U.	
Single Family 50' x 120' (3 - 4 Bedrooms)	54 D.U.		
Single Family 40' x 120' (3 - 4 Bedrooms)	139 D.U.	Primary Rec. Area Spaces Required (1 Space / 500 S.F.)	21 Spaces
20' Townhomes (3 Bedrooms)	43 D.U.	Primary Rec. Area Spaces Proposed (Townhome Overlap Guest Spaces)	23 Spaces
24' Townhomes (3 Bedrooms)	58 D.U.	Includes 2 Handicap Spaces within Total	
Net Density	2.91 Net D.U./AC		
Gross Density	2.88 Gross D.U./AC		
Total Drainage Area Proposed	± 24.02 AC. (1,046,311.2 S.F. - 17%)		
Total Lake Surface Residential Area	12.92 AC. (562,798 S.F.)		
Total Lake Surface North Open Space Area	11.10 AC. (483,516 S.F.)		
Open Space Provided (See Exhibit for Details)	48.71 AC. (2,121,633 S.F.)		
Open Space Area (South Area & Internal Neighbourhood Parks)	23.90 AC. (1,043,084 S.F. - 7%)		
Oak Tree Open Space Area / Buffer Area (North Area & North Lake Slope)	14.40 AC. (635,976 S.F. - 20%)		
Open Space Area (South Area & Internal Neighbourhood Parks)	6.49 AC. (280,654 S.F. - 4%)		
Buffer Tract Area (West Buffer Area & Entrance Buffers)	1.55 AC. (67,518 S.F. - 1%)		
Lake Trails Along Public Linear Greenway Park*	17.38 AC. (757,072 S.F. - 5%) (89% of Oak Tree S.P.)		
Public Greenway Park Open Space Area (South & East Buffer Areas)	9.37 AC. (408,157 S.F. - 18%)		
Maximum Building Height	2 - Story		

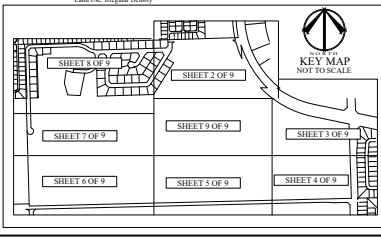
* Per Article IV, Section 24-54.F.11, should project be rezoned to PUD depending on the characteristics of a planned unit development, the city may allow certain for access, lagoons or other waterways such credits not to exceed 70% (percent) of the required open space.



PROJECT NOTES

- L.M.E. = Lake Maintenance Easement
- R.A.S. = Residential Access Street
- R.O.W. = Right of Way
- U.E. = Utility Easement
- Utilities are available to the site
- AC = Access
- C.L. = Contour Line
- Eas. = Easement
- Curbside refuse & recycling services will be provided by city
- D.E. = Drainage Easement
- D.T. = Drainage Tract
- F.P. = Foundation Piling
- S.W. = Sidewalk
- C.L.F. = Chain Link Fence
- *R = Restricted lot in which only certain unit types can be constructed.
- All mechanical equipment shall be screened from view of the street or adjoining residential units with landscaping.
- Light poles located on residential lots along road right of way shall be located at property corners.
- M Indicates Model Unit. Temporary sales center parking lot to be located on one of the model lots.
- Chubbuses include Kiosks for emergency access.
- All internal residential vehicular access ways are private roadways & are the perpetual maintenance obligation of the new H.O.A.
- Public Greenway Open Space Park Area to be dedicated to City, shall count towards project concurrency requirements, per Article XIII, Section 24 - 175, including but not limited to credits towards the City Park Impact Fee calculation (Article XIII, Section 24 - 175.G).
- Fire Sprinklers not required for residential homes.
- A fire department access road shall extend to within 50 feet of at least one exterior door that can be opened from the outside and that provides access to the interior of all residential homes.

SHEET KEY



Design and Entitlement Consultants, LLC.
 1402 Royal Palm Beach Blvd, Suite 102
 Royal Palm Beach, FL, 33411
 Tel: (561) 707-3410
 Email: info@designandentitlement.com

DESIGN AND ENTITLEMENT CONSULTANTS, LLC.

Oak Tree Property PulteGroup
 2400 Oak Tree Lane
 Oakland Park, FL 33309

P.U.D. Final Site Plan

SCALE: 1" = 150'
 CHECKED BY: K.D.D.
 DRAWN BY: K.D.D.
 DATE: 09.28.18
 FILE: SP.1
SHEET FSP.1
 1 OF 6 SHEETS

APPENDIX B

**BROWARD COUNTY PLANNING COUNCIL
TRAFFIC ANALYSIS**

ATTACHMENT 4
DRAFT
TRAFFIC ANALYSIS (as voluntarily restricted)
PC 19-2

Prepared: October 24, 2018

INTRODUCTORY INFORMATION

Jurisdiction: City of Oakland Park

Size: Approximately 140.7 acres

TRIPS ANALYSIS

Potential Trips - Current Land Use Designations

Current Designations: 132.7 acres of Recreation and Open Space
6.0 acres of Low-Medium (10) Residential
2.0 acres of Low (5) Residential

Potential Development: 132.7 acres of recreation and open space
60 multi-family dwelling units
10 single-family dwelling units

Trip Generation Rates: "ITE Equation (411) Public Park"*
"ITE Equation (220) Multifamily Housing (Low-Rise)"
"ITE Equation (210) Single-Family Detached Housing"

Total P.M. Peak Hour Trips: $31 + 41 + 12 = 84$ peak hour trips

Potential Trips - Proposed Land Use Designation

Proposed Designation: Irregular (2.88) Residential

Potential Development: 273 single-family dwelling units
132 townhouse dwelling units

Trip Generation Rate: "ITE Equation (210) Single-Family Detached Housing"
"ITE Equation (220) Multifamily Housing (Low-Rise)"

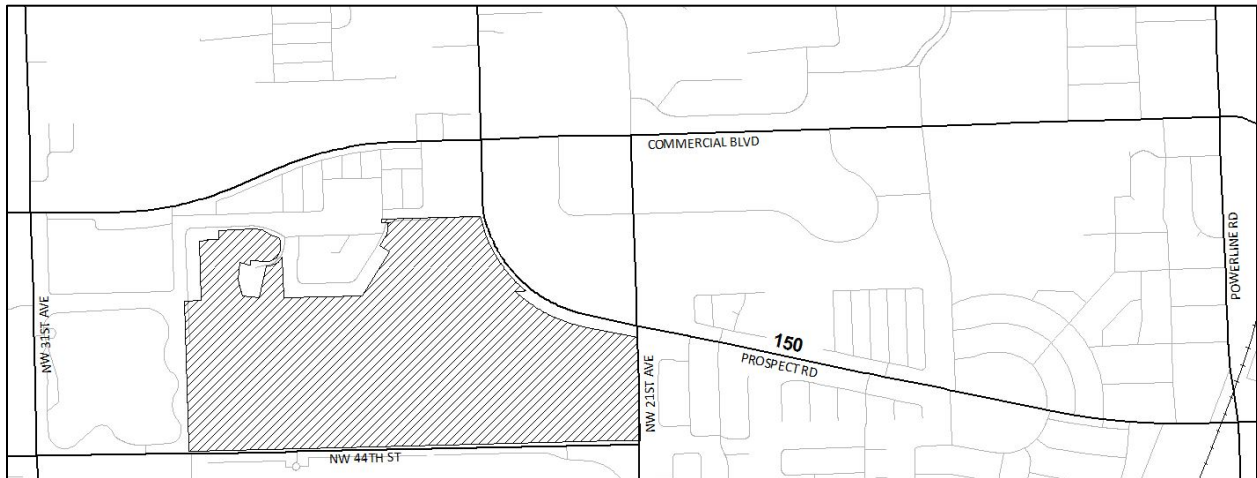
Total P.M. Peak Hour Trips: $274 + 89 = 363$ peak hour trips

Net P.M. Peak Hour Trips **+ 279 peak hour trips**

PLANNING COMMENTS

The proposed amendment is projected to increase traffic on the regional roadway network by approximately 279 peak hour trips at the long-range planning horizon.

*Institute of Transportation Engineers (ITE) traffic generation equations from "Trip Generation Manual- Tenth Edition," the professionally accepted methodology for estimating the number of vehicle trips likely to be generated by a particular land use.



Affected Regional Transportation Network Without the Proposed Amendment: Traffic 2040:

<u>Trafficway</u>	<u>Section</u>	<u>VOL</u>	<u>CAP</u>	<u>LOS</u>
1. Prospect Road	Commercial Boulevard to Powerline Road	3,382	3,401	D

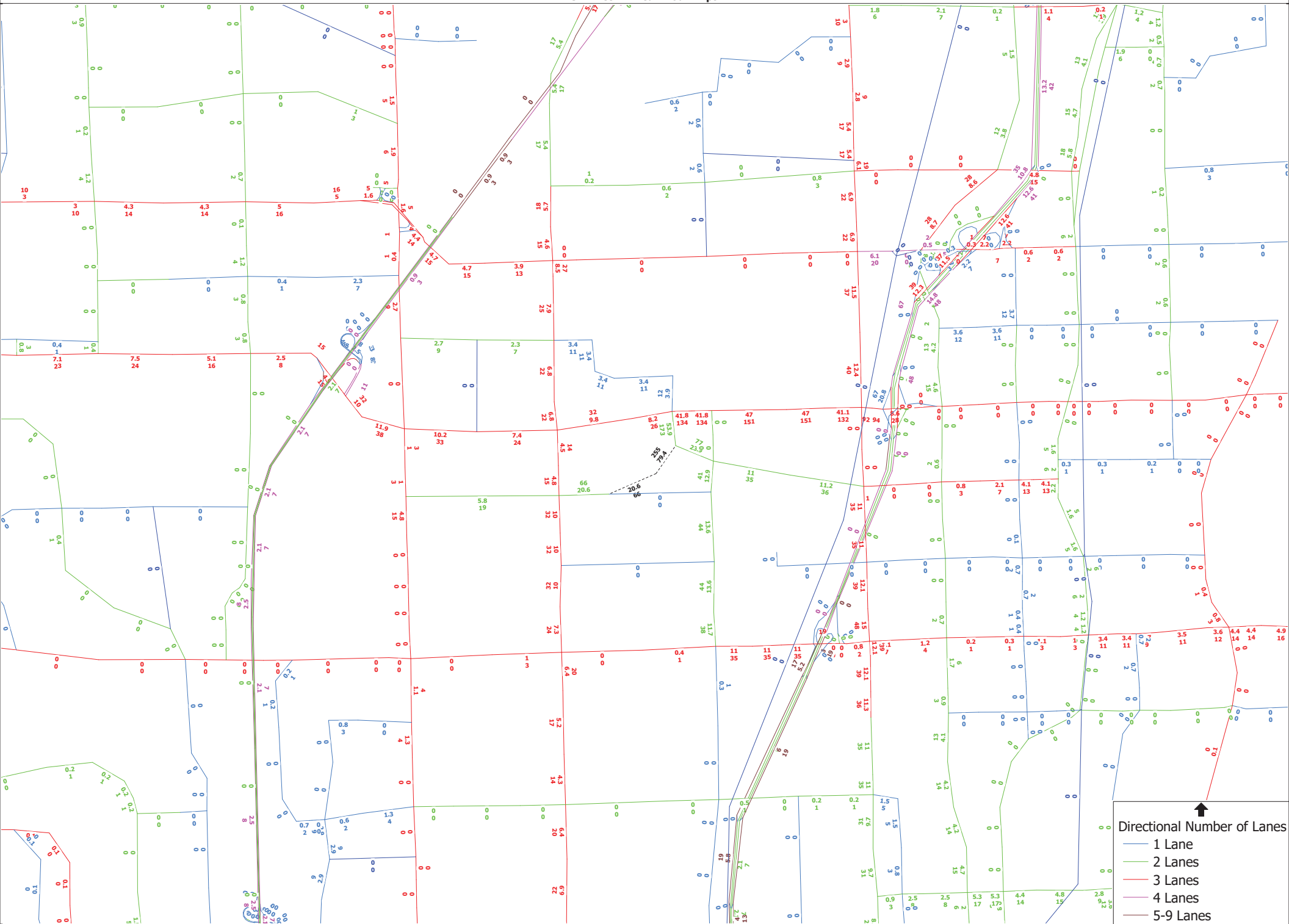
Affected Regional Transportation Network With the Proposed Amendment: Traffic 2040:

<u>Trafficway</u>	<u>Section</u>	<u>VOL</u>	<u>CAP</u>	<u>LOS</u>
1. Prospect Road	Commercial Boulevard to Powerline Road	3,532	3,401	F

PLANNING COMMENTS

The proposed amendment is projected to increase traffic on the regional roadway network by approximately 279 p.m. peak hour trips at the long-term planning horizon. Distribution of the projected additional p.m. peak hour trips indicates that the proposed amendment would exacerbate impacts on one (1) affected roadway segment, Prospect Road, between Commercial Boulevard and Powerline Road. This roadway segment denigrates from an acceptable level of service (LOS) “D” to an unacceptable LOS “F,” with the addition of the trips generated by the proposed amendment.

PC 19-2 Oakland Park
321 Net PM Peak Hour Trips



Directional Number of Lanes

- 1 Lane
- 2 Lanes
- 3 Lanes
- 4 Lanes
- 5-9 Lanes

APPENDIX C

TRAFFIC VOLUME CALCULATIONS

TABLE C-1
PM TRAFFIC VOLUME CALCULATIONS - YEAR 2040
OAK TREE LAND USE PLAN AMENDMENT TRAFFIC ANALYSIS

INTERSECTION	SCENARIO	TRAFFIC VOLUMES															
		EBUT	EBLT	EBTH	EBRT	WBUT	WBLT	WBTH	WBRT	NBUT	NBLT	NBTH	NBRT	SBUT	SBLT	SBTH	SBRT
NW 21 st Avenue at Prospect Road	Collected Count (10/31/2017)	0	6	500	166	0	524	983	60	0	72	218	322	0	42	536	20
	Peak-Season Conversion Factor (PSCF) ⁽¹⁾	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04
	2017 Existing Peak-Season Traffic	0	6	520	173	0	545	1,022	62	0	75	227	335	0	44	557	21
	Compound Growth Rate (CGR) ⁽²⁾	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%
	Existing plus CGR Increase	0	8	654	217	0	685	1,285	78	0	94	285	421	0	55	700	26
	Committed Development	0	0	1	0	0	0	2	0	0	0	0	0	0	0	0	0
	2040 Background Peak-Season Traffic	0	8	655	217	0	685	1,287	78	0	94	285	421	0	55	700	26
	Project Trips	0	2	10	12	0	0	20	0	0	24	0	0	0	0	0	4
	2040 Total Peak-Season Traffic	0	10	665	229	0	685	1,307	78	0	118	285	421	0	55	700	30

(1) Peak Season Conversion Factor obtained from 2017 FDOT Peak Season Factor Category Report
(2) Compound growth rate of 1.00% based on review of available historical traffic counts for surrounding stations.



TABLE C-2
PM TRAFFIC VOLUME CALCULATIONS - YEAR 2024
OAK TREE LAND USE PLAN AMENDMENT TRAFFIC ANALYSIS

INTERSECTION	SCENARIO	TRAFFIC VOLUMES															
		EBUT	EBLT	EBTH	EBRT	WBUT	WBLT	WBTH	WBRT	NBUT	NBLT	NBTH	NBRT	SBUT	SBLT	SBTH	SBRT
NW 21 st Avenue at Prospect Road	Collected Count (10/31/2017)	0	6	500	166	0	524	983	60	0	72	218	322	0	42	536	20
	Peak-Season Conversion Factor (PSCF) ⁽¹⁾	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04
	2017 Existing Peak-Season Traffic	0	6	520	173	0	545	1,022	62	0	75	227	335	0	44	557	21
	Compound Growth Rate (CGR) ⁽²⁾	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%
	Existing plus CGR Increase	0	6	558	185	0	584	1,096	66	0	80	243	359	0	47	597	23
	Committed Development	0	0	1	0	0	0	2	0	0	0	0	0	0	0	0	0
	2024 Background Peak-Season Traffic	0	6	559	185	0	584	1,098	66	0	80	243	359	0	47	597	23
	Project Trips	0	2	10	12	0	0	20	0	0	24	0	0	0	0	0	4
	2024 Total Peak-Season Traffic	0	8	569	197	0	584	1,118	66	0	104	243	359	0	47	597	27

(1) Peak Season Conversion Factor obtained from 2017 FDOT Peak Season Factor Category Report

(2) Compound growth rate of 1.00% based on review of available historical traffic counts for surrounding stations.



Traffic Survey Specialists, Inc.

Delray Beach, Florida

Phone (561) 272-3255 www.trafficsurveyspecialists.com

PROSPECT ROAD & NW 21ST AVENUE
 FT LAUDERDALE, FLORIDA
 COUNTED BY: M. CRUZ & L. PALOMINO
 SIGNALIZED

File Name : PROS21AV
 Site Code : 00170180
 Start Date : 10/31/2017
 Page No : 1

Groups Printed- LIGHT VEHICLES - HEAVY VEHICLES

Start Time	NW 21ST AVENUE From North				PROSPECT ROAD From East				NW 21ST AVENUE From South				PROSPECT ROAD From West				Int. Total
	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	
07:00	0	1	30	0	0	54	68	4	0	22	64	77	0	0	139	32	491
07:15	0	0	23	0	1	45	93	5	0	28	94	81	0	2	202	25	599
07:30	0	3	34	1	0	59	90	15	1	28	81	116	0	2	206	37	673
07:45	0	7	33	4	0	66	117	19	0	40	143	130	0	2	198	40	799
Total	0	11	120	5	1	224	368	43	1	118	382	404	0	6	745	134	2562
08:00	0	3	26	1	1	68	115	19	0	33	117	114	0	0	181	21	699
08:15	0	4	34	2	0	65	90	22	0	24	104	111	0	6	174	27	663
08:30	0	4	25	3	0	62	91	12	0	14	73	80	0	9	176	20	569
08:45	0	3	25	0	0	52	93	14	0	19	91	94	0	3	164	19	577
Total	0	14	110	6	1	247	389	67	0	90	385	399	0	18	695	87	2508
16:00	0	9	50	2	1	96	148	12	0	24	50	49	0	3	88	21	553
16:15	0	6	49	2	1	115	188	9	0	25	44	62	0	4	89	28	622
16:30	0	9	113	6	0	128	191	2	0	23	42	64	0	2	90	33	703
16:45	0	9	74	5	0	117	222	10	0	19	55	81	0	1	126	29	748
Total	0	33	286	15	2	456	749	33	0	91	191	256	0	10	393	111	2626
17:00	0	19	121	4	0	141	258	6	0	18	52	69	0	3	140	41	872
17:15	0	8	146	3	0	127	236	14	0	20	65	89	0	2	128	44	882
17:30	0	10	139	7	0	131	274	23	0	15	51	86	0	1	134	35	906
17:45	0	5	130	6	0	125	215	17	0	19	50	78	0	0	98	46	789
Total	0	42	536	20	0	524	983	60	0	72	218	322	0	6	500	166	3449
Grand Total	0	100	1052	46	4	1451	2489	203	1	371	1176	1381	0	40	2333	498	11145
Apprch %	0	8.3	87.8	3.8	0.1	35	60	4.9	0	12.7	40.2	47.1	0	1.4	81.3	17.3	
Total %	0	0.9	9.4	0.4	0	13	22.3	1.8	0	3.3	10.6	12.4	0	0.4	20.9	4.5	
LIGHT VEHICLES	0	94	1007	46	4	1392	2427	195	1	350	1152	1264	0	36	2239	480	10687
% LIGHT VEHICLES	0	94	95.7	100	100	95.9	97.5	96.1	100	94.3	98	91.5	0	90	96	96.4	95.9
HEAVY VEHICLES	0	6	45	0	0	59	62	8	0	21	24	117	0	4	94	18	458
% HEAVY VEHICLES	0	6	4.3	0	0	4.1	2.5	3.9	0	5.7	2	8.5	0	10	4	3.6	4.1

Traffic Survey Specialists, Inc.

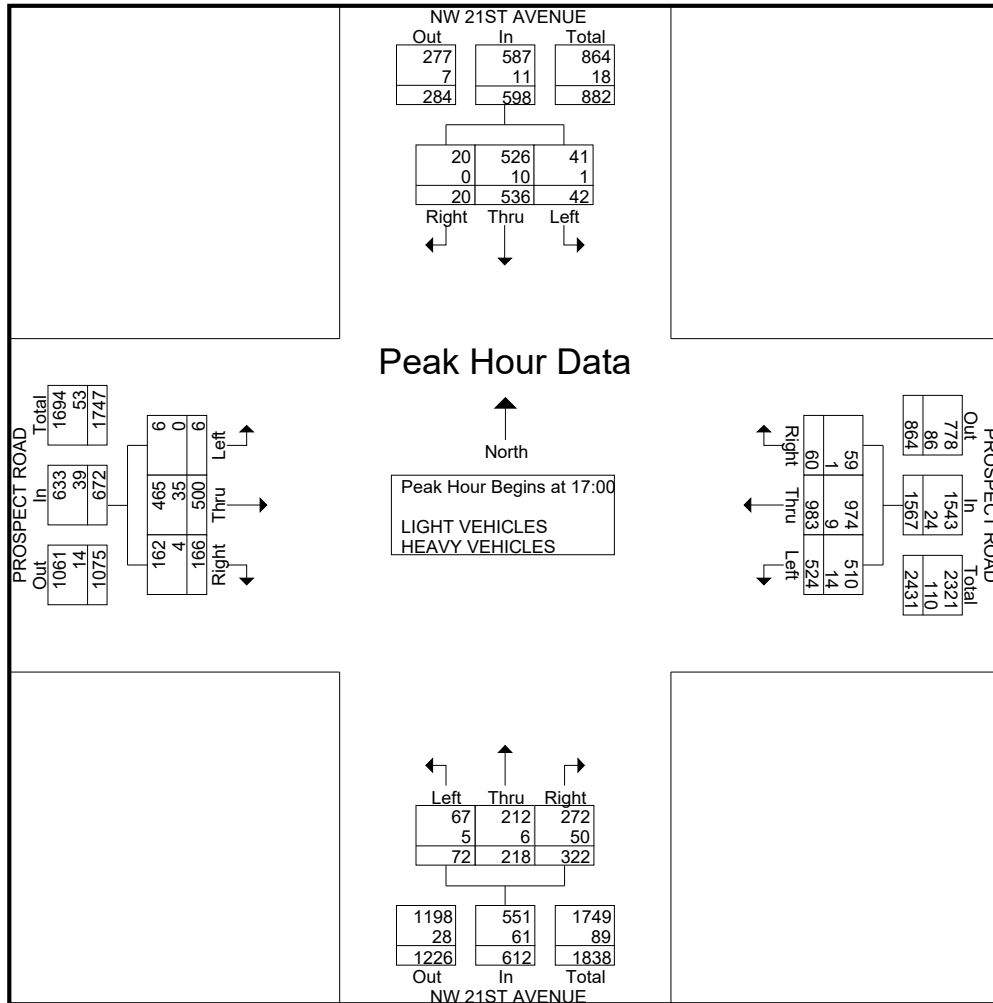
Delray Beach, Florida

Phone (561) 272-3255 www.trafficsurveyspecialists.com

PROSPECT ROAD & NW 21ST AVENUE
 FT LAUDERDALE, FLORIDA
 COUNTED BY: M. CRUZ & L. PALOMINO
 SIGNALIZED

File Name : PROS21AV
 Site Code : 00170180
 Start Date : 10/31/2017
 Page No : 3

Start Time	NW 21ST AVENUE From North					PROSPECT ROAD From East					NW 21ST AVENUE From South					PROSPECT ROAD From West					Int. Total
	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	
Peak Hour Analysis From 16:00 to 17:45 - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 17:00																					
17:00	0	19	121	4	144	0	141	258	6	405	0	18	52	69	139	0	3	140	41	184	872
17:15	0	8	146	3	157	0	127	236	14	377	0	20	65	89	174	0	2	128	44	174	882
17:30	0	10	139	7	156	0	131	274	23	428	0	15	51	86	152	0	1	134	35	170	906
17:45	0	5	130	6	141	0	125	215	17	357	0	19	50	78	147	0	0	98	46	144	789
Total Volume	0	42	536	20	598	0	524	983	60	1567	0	72	218	322	612	0	6	500	166	672	3449
% App. Total	0	7	89.6	3.3		0	33.4	62.7	3.8		0	11.8	35.6	52.6		0	0.9	74.4	24.7		
PHF	.000	.553	.918	.714	.952	.000	.929	.897	.652	.915	.000	.900	.838	.904	.879	.000	.500	.893	.902	.913	.952
LIGHT VEHICLES	0	41	526	20	587	0	510	974	59	1543	0	67	212	272	551	0	6	465	162	633	3314
% LIGHT VEHICLES	0	97.6	98.1	100	98.2	0	97.3	99.1	98.3	98.5	0	93.1	97.2	84.5	90.0	0	100	93.0	97.6	94.2	96.1
HEAVY VEHICLES	0	1	10	0	11	0	14	9	1	24	0	5	6	50	61	0	0	35	4	39	135
% HEAVY VEHICLES	0	2.4	1.9	0	1.8	0	2.7	0.9	1.7	1.5	0	6.9	2.8	15.5	10.0	0	0	7.0	2.4	5.8	3.9



Traffic Survey Specialists, Inc.
 Delray Beach, Florida
 Phone (561) 272-3255 www.trafficsurveyspecialists.com

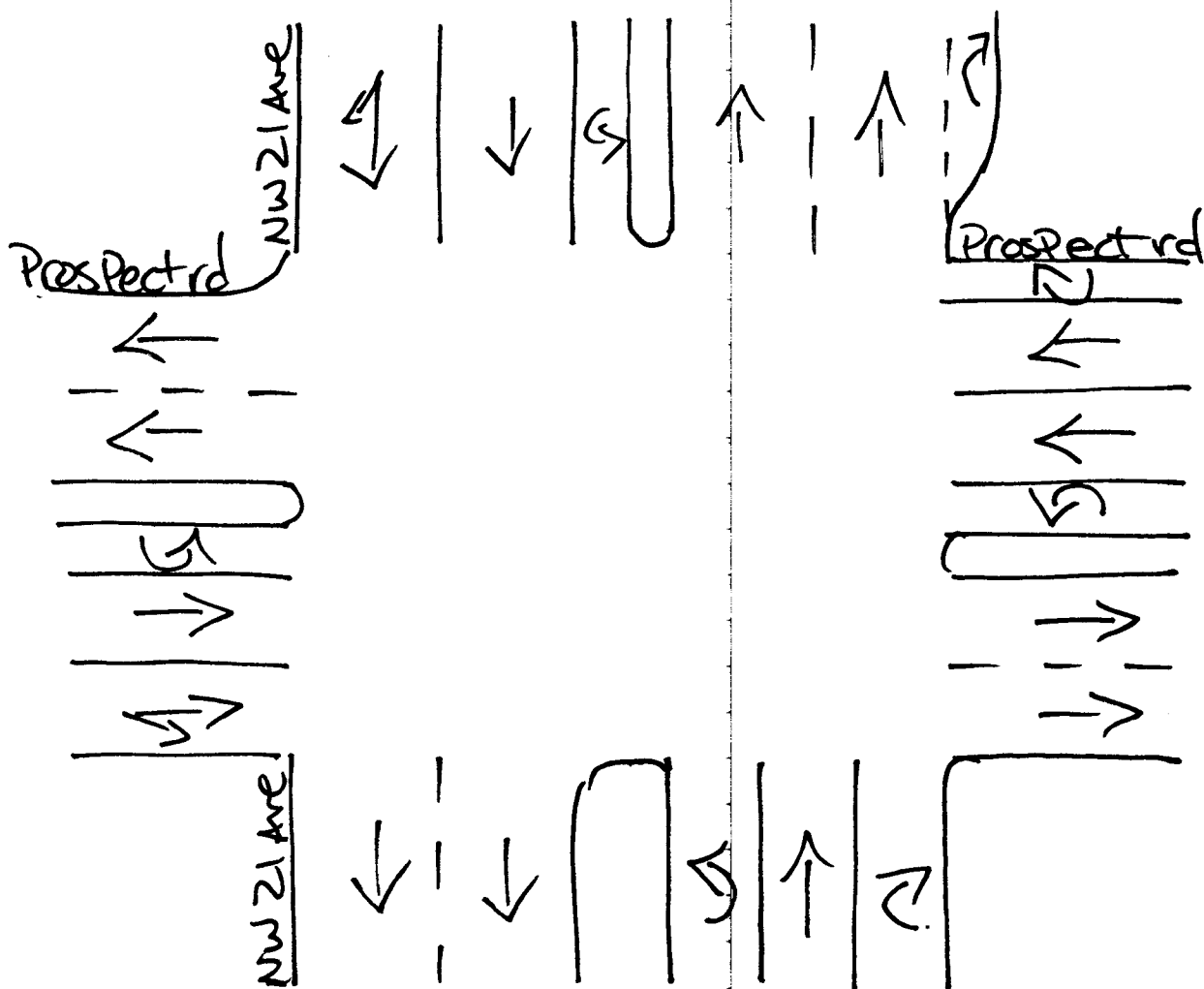
PROSPECT ROAD & NW 21ST AVENUE
 FT LAUDERDALE, FLORIDA
 COUNTED BY: M. CRUZ & L. PALOMINO
 SIGNALIZED

File Name : PROS21AV
 Site Code : 00170180
 Start Date : 10/31/2017
 Page No : 1

Groups Printed- PEDESTRIANS

Start Time	NW 21ST AVENUE From North				PROSPECT ROAD From East				NW 21ST AVENUE From South				PROSPECT ROAD From West				Int. Total
	Peds	Left	BIKES	Right	Peds	Left	BIKES	Right	Peds	Left	BIKES	Right	Peds	Left	BIKES	Right	
07:00	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0	2
07:15	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
07:30	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
07:45	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Total	0	0	1	0	1	0	2	0	0	0	0	0	0	0	1	0	5
08:00	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	4
08:15	0	0	1	0	1	0	0	0	0	0	0	0	0	0	1	0	3
08:30	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	2
08:45	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	2
Total	2	0	3	0	1	0	2	0	1	0	0	0	1	0	1	0	11
16:00	0	0	1	0	1	0	0	0	0	0	0	0	4	0	0	0	6
16:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
16:45	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
Total	0	0	1	0	1	0	0	0	0	0	0	0	5	0	1	0	8
17:00	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	3
17:15	0	0	2	0	0	0	1	0	0	0	0	0	0	0	0	0	3
17:45	0	0	0	0	0	0	0	0	1	0	0	0	1	0	1	0	3
Total	0	0	2	0	3	0	1	0	1	0	0	0	1	0	1	0	9
Grand Total	2	0	7	0	6	0	5	0	2	0	0	0	7	0	4	0	33
Apprch %	22.2	0	77.8	0	54.5	0	45.5	0	100	0	0	0	63.6	0	36.4	0	
Total %	6.1	0	21.2	0	18.2	0	15.2	0	6.1	0	0	0	21.2	0	12.1	0	

North



Ft. Lauderdale, Florida

October 31, 2017

Drawn by: Luis Palomero
Signalized

2017 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL
 CATEGORY: 8601 CEN.-W OF US1 TO SR7

WEEK	DATES	SF	MOCF: 0.97 PSCF
1	01/01/2017 - 01/07/2017	0.96	0.99
2	01/08/2017 - 01/14/2017	0.98	1.01
3	01/15/2017 - 01/21/2017	0.99	1.02
4	01/22/2017 - 01/28/2017	0.99	1.02
* 5	01/29/2017 - 02/04/2017	0.98	1.01
* 6	02/05/2017 - 02/11/2017	0.98	1.01
* 7	02/12/2017 - 02/18/2017	0.97	1.00
* 8	02/19/2017 - 02/25/2017	0.97	1.00
* 9	02/26/2017 - 03/04/2017	0.96	0.99
*10	03/05/2017 - 03/11/2017	0.96	0.99
*11	03/12/2017 - 03/18/2017	0.96	0.99
*12	03/19/2017 - 03/25/2017	0.96	0.99
*13	03/26/2017 - 04/01/2017	0.97	1.00
*14	04/02/2017 - 04/08/2017	0.97	1.00
*15	04/09/2017 - 04/15/2017	0.98	1.01
*16	04/16/2017 - 04/22/2017	0.98	1.01
*17	04/23/2017 - 04/29/2017	0.99	1.02
18	04/30/2017 - 05/06/2017	0.99	1.02
19	05/07/2017 - 05/13/2017	0.99	1.02
20	05/14/2017 - 05/20/2017	1.00	1.03
21	05/21/2017 - 05/27/2017	1.00	1.03
22	05/28/2017 - 06/03/2017	1.00	1.03
23	06/04/2017 - 06/10/2017	1.01	1.04
24	06/11/2017 - 06/17/2017	1.01	1.04
25	06/18/2017 - 06/24/2017	1.01	1.04
26	06/25/2017 - 07/01/2017	1.01	1.04
27	07/02/2017 - 07/08/2017	1.01	1.04
28	07/09/2017 - 07/15/2017	1.02	1.05
29	07/16/2017 - 07/22/2017	1.01	1.04
30	07/23/2017 - 07/29/2017	1.01	1.04
31	07/30/2017 - 08/05/2017	1.01	1.04
32	08/06/2017 - 08/12/2017	1.01	1.04
33	08/13/2017 - 08/19/2017	1.01	1.04
34	08/20/2017 - 08/26/2017	1.05	1.08
35	08/27/2017 - 09/02/2017	1.08	1.11
36	09/03/2017 - 09/09/2017	1.12	1.15
37	09/10/2017 - 09/16/2017	1.16	1.20
38	09/17/2017 - 09/23/2017	1.13	1.16
39	09/24/2017 - 09/30/2017	1.10	1.13
40	10/01/2017 - 10/07/2017	1.08	1.11
41	10/08/2017 - 10/14/2017	1.05	1.08
42	10/15/2017 - 10/21/2017	1.03	1.06
43	10/22/2017 - 10/28/2017	1.02	1.05
44	10/29/2017 - 11/04/2017	1.01	1.04
45	11/05/2017 - 11/11/2017	1.00	1.03
46	11/12/2017 - 11/18/2017	0.99	1.02
47	11/19/2017 - 11/25/2017	0.98	1.01
48	11/26/2017 - 12/02/2017	0.98	1.01
49	12/03/2017 - 12/09/2017	0.97	1.00
50	12/10/2017 - 12/16/2017	0.96	0.99
51	12/17/2017 - 12/23/2017	0.97	1.00
52	12/24/2017 - 12/30/2017	0.98	1.01
53	12/31/2017 - 12/31/2017	0.99	1.02

* PEAK SEASON

02-MAR-2018 15:35:06

830UPD

4_8601_PKSEASON.TXT

FLORIDA DEPARTMENT OF TRANSPORTATION
 TRANSPORTATION STATISTICS OFFICE
 2017 HISTORICAL AADT REPORT

COUNTY: 86 - BROWARD

SITE: 7784 - PROSPECT RD, S OF COMMERCIAL BLVD

YEAR	AADT	DIRECTION 1		DIRECTION 2		*K FACTOR	D FACTOR	T FACTOR
* 2017	16500 F	N	8600	S	7900	9.00	51.90	6.20
2016	16500 C	N	8600	S	7900	9.00	54.10	2.90
2015	15000 V		0		0	9.00	54.00	3.40
2014	14500 R					9.00	54.20	7.40
2013	14500 T		0		0	9.00	53.60	7.60
2012	14500 S		0		0	9.00	52.20	5.90
2011	14500 F		0		0	9.00	52.50	6.30
2010	14500 C	N	7200	S	7300	8.35	52.69	9.30
2009	14900 F	N	8100	S	6800	8.53	53.89	5.30
2008	15300 C	N	8300	S	7000	8.81	54.16	6.50
* 2007	17300 C	N	8800	S	8500	8.63	55.75	4.80
2006	16300 C	N	8400	S	7900	8.40	55.34	2.90
2005	16800 C	N	8800	S	8000	8.20	51.70	0.00

10 years
 2007: 17300 + 16500 + 7600 = 40400
 2017: 16500 + 17800 + 6400 = 40700
 .07%

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
 S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
 V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
 *K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
 TRANSPORTATION STATISTICS OFFICE
 2017 HISTORICAL AADT REPORT

COUNTY: 86 - BROWARD

SITE: 9407 - NW 21 AVENUE, N OF PROSPECT ROAD

YEAR	AADT	DIRECTION 1		DIRECTION 2		*K FACTOR	D FACTOR	T FACTOR
---	---	---	---	---	---	---	---	---
* 2017	6400 S	N	3700	S	2700	9.00	51.90	6.20
2016	6400 F	N	3700	S	2700	9.00	54.10	2.90
2015	6400 C	N	3700	S	2700	9.00	54.00	3.40
2014	6000 X					9.00	54.20	7.40
2013	5900 X		0		0	9.00	53.60	7.60
2012	5900 T		0		0	9.00	52.20	5.90
2011	5900 S		0		0	9.00	52.50	6.30
2010	5900 F	N	3300	S	2600	8.35	52.69	9.30
2009	5900 C	N	3300	S	2600	8.53	53.89	5.30
2008	6800 C	N	3900	S	2900	8.81	54.16	6.50
* 2007	7600 C	N	4500	S	3100	8.63	55.75	4.80
2006	7800 C	N	4200	S	3600	8.40	55.34	2.90
2005	7500 C	N	4300	S	3200	8.20	51.70	0.00

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
 S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
 V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
 *K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
 TRANSPORTATION STATISTICS OFFICE
 2017 HISTORICAL AADT REPORT

COUNTY: 86 - BROWARD

SITE: 7626 - NW 21 AVE, S OF PROSPECT RD

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
*2017	17800 F	N 9100	S 8700	9.00	51.90	6.20
2016	17800 C	N 9100	S 8700	9.00	54.10	2.90
2015	14500 V	0	0	9.00	54.00	3.40
2014	14000 R			9.00	54.20	7.40
2013	14000 T	0	0	9.00	53.60	7.60
2012	14000 S	0	0	9.00	52.20	5.90
2011	14000 F	0	0	9.00	52.50	6.30
2010	14000 C	N 0	S 0	8.35	52.69	9.30
2009	14500 F	0	0	8.53	53.89	5.30
2008	15000 C	N 0	S 0	8.81	54.16	6.50
*2007	15500 C	N 0	S 0	8.63	55.75	4.80
2006	16000 C	N 0	S 0	8.40	55.34	2.90
2005	17000 C	N	S	8.20	51.70	0.00

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
 S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
 V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN

*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

Traffic Impact Study

Residence Inn

Powerline Road @ NW 38th Street
Oakland Park, Florida





July 16, 2014
Revised September 4, 2014



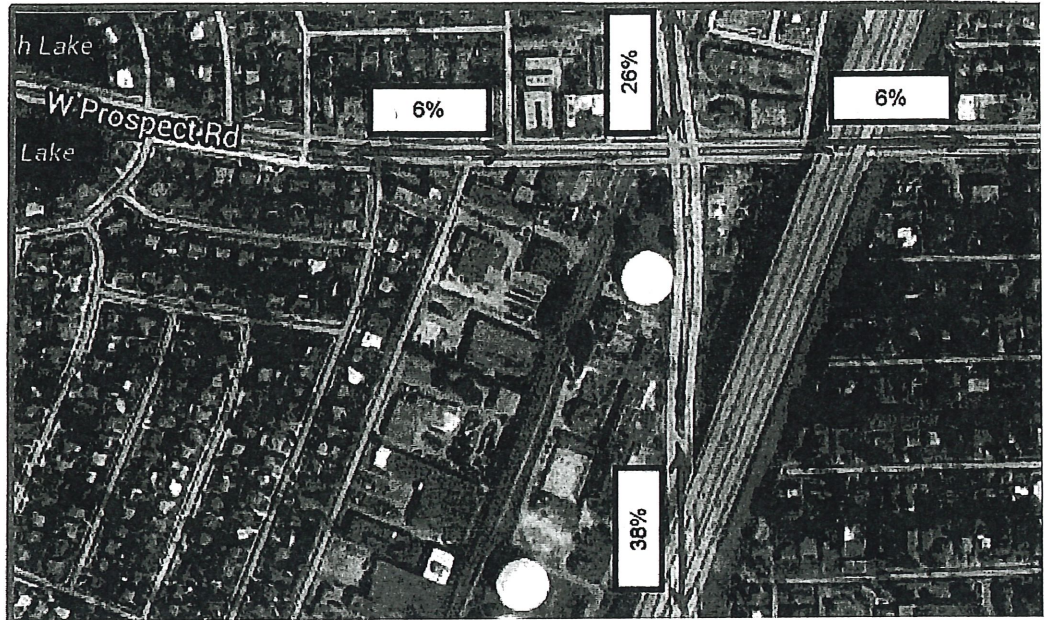
Tinter Traffic, LLC
2857 N.E. 25 Street
Ft. Lauderdale, FL 33305-17

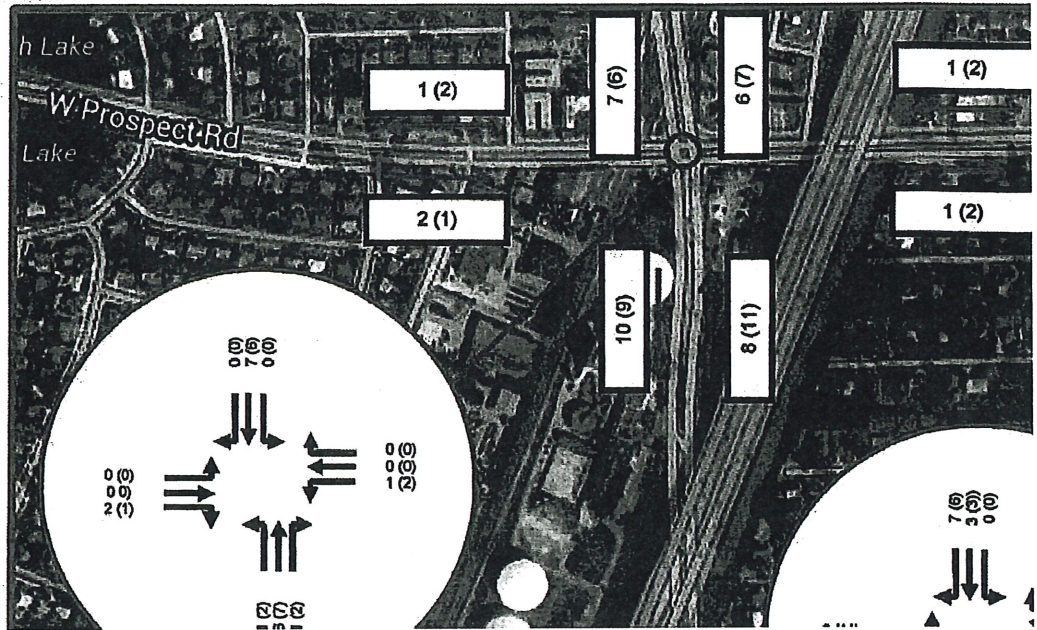
$$T = 0.40 (X)$$

where T = total number of trips (in vehicles per day (vpd) or hour (vph)
 X = the number of suites in the hotel

During the AM Peak Hour, it is expected that 55% of the hotel traffic will be entering and 45% will be exiting the site. During the PM Peak Hour, it is expected that 45% the site traffic will be entering and 55% will be exiting the site. Using these statistics from the ITE Report, the site is expected to generate the following traffic volumes for both the existing and proposed uses:

	<u>Existing Development</u>		
	<u>Daily</u>	<u>AM Peak Hour</u>	<u>PM Peak Hour</u>
<u>Entering</u>	314 vpd	27 vph	23 vph
<u>Exiting</u>	313 vpd	22 vph	28 vph
<u>Total</u>	(627 vpd)	49 vph	51 vph





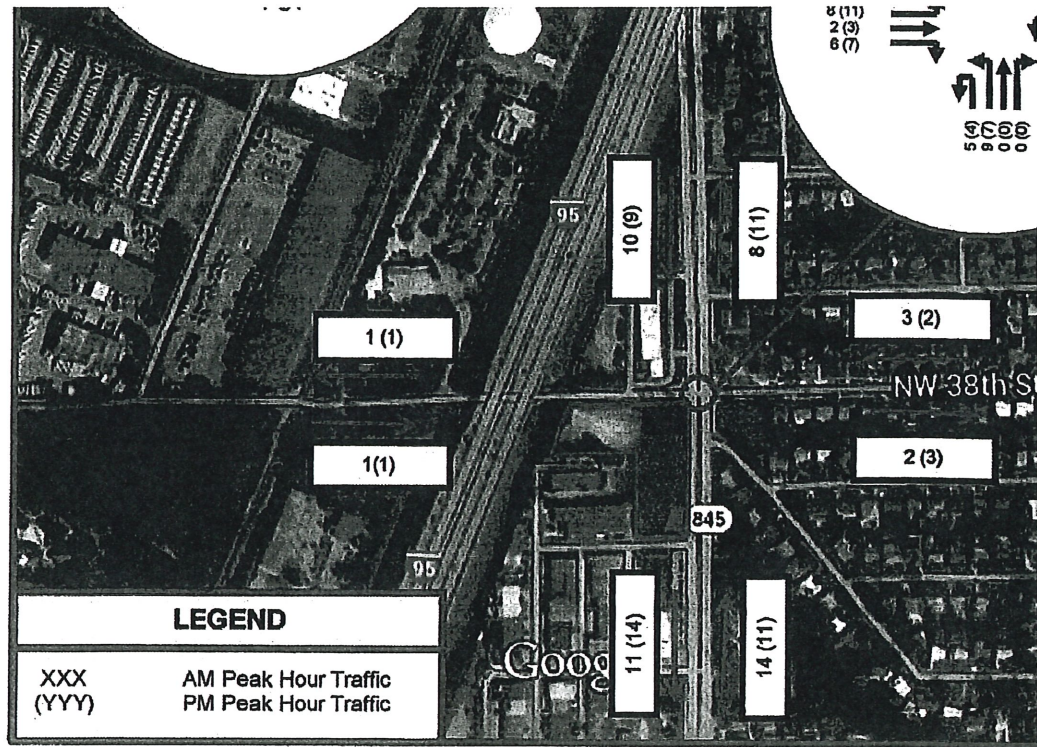


Figure 5
Residence Inn – Oakland Park

APPENDIX D

INTERSECTION CAPACITY ANALYSIS WORKSHEETS AND SIGNAL TIMINGS



BROWARD COUNTY TRAFFIC ENGINEERING
ACTUATED TRAFFIC SIGNAL TIMING SHEET

Intersection Number	1142	Initial Operation Date	6/15/70
Controller Type	2070 LN	System Number	1142
Modification Number	13	Modification Date	03/19/2013
Drawing/Project No	5384	FPL Grid Number	87484466108
Intersection	PROSPECT ROAD and NW 21 AVENUE		
Municipality	OAKLAND PARK		

Controller Phase	1	2	3	4	5	6	7	8
Face Number		2		4	5	6		8
Direction		WB		NB	WBL	EB		SB
Initial Green(MIN)		10		6	4	10		6
Vehicle Ext.(GAP)		3.0		2.0	1.5	3.0		2.0
Maximum Green I		40		40	20	40		40
Maximum Green II								
Yellow Clearance		4.0		4.0	4.0	4.0		4.0
All Red Clearance		1.5		1.5	1.5	1.5		1.5
Phase Recall		MIN		OFF	OFF	MIN		OFF
Detector Delay				20-RT				
Walk		7		7		7		7
Pedestrian Clearance		24		23		24		20
Permissive					5 SECT			
Flash Operation		YELLOW		RED		YELLOW		RED

Attachment

NOTES:

1. ANTI-BACKDOWN DIODE WESTBOUND AND DUAL ENTRY HARDWIRED NORTH/SOUTH.
2. MOD. 13 REFLECTS INTERSECTION REBUILD.

Submitted By _____ Approved By _____

Station : 1142 - Prospect Rd & NW 21 Ave (Standard File)

Phase	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
		(WT)		(NT)	(WL)	(ET)		(ST)								
Walk		7		7		7		7								
Ped Clearance		24		23		24		20								
Min Green		10		6	4	10		6								
Gap Ext		3		2	1.5	3		2								
Max1		40		40	20	40		40								
Max2																
Yellow Clr	3.5	4	3.5	4	4	4	3.5	4	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5
Red Clr		1.5		1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Red Revert																
Added Initial																
Max Initial																
Time Before Reduce																
Cars Before Reduce																
Time To Reduce																
Reduce By																
Min Gap																
Dynamic Max Limit																
Dynamic Max Step																
Enable		ON		ON	ON	ON		ON								
Auto Flash Entry				ON				ON								
Auto Flash Exit		ON				ON										
Non-Actuated 1																
Non-Actuated 2																
Lock Call									ON	ON	ON	ON	ON	ON	ON	ON
Min Recall		ON					ON									
Max Recall																
Ped Recall																
Soft Recall																
Dual Entry				ON				ON								
Sim Gap Enable									ON	ON	ON	ON	ON	ON	ON	ON
Guar Passage																
Rest In Walk		ON					ON									
Cond Service																
Add Init Calc																
Concurrent Ps	1	1	1	1	2	2	2	2								

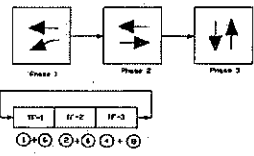
Preemption

Channel	1	2	3	4	5	6
Lock Input	ON	ON	ON	ON	ON	ON
Override Auto Flash			ON		ON	ON
Override Higher Preempt					ON	ON
Flash in Dwell						
Link to Preempt						
Delay						
Min Duration	20	15	15			
Min Green	6	6	4	6		
Min Walk	3	3	3	4		
Ped Clear	6	6	6	3		
Track Green				1		
Min Dwell	8	8		8		
Max Presence	60	50	50	40		
Track Veh 1						
Track Veh 2						
Track Veh 3						
Track Veh 4						
Dwell Cyc Veh 1	4	2	2	2		
Dwell Cyc Veh 2	8	6	5	5		
Dwell Cyc Veh 3						
Dwell Cyc Veh 4						
Dwell Cyc Veh 5						
Dwell Cyc Veh 6						
Dwell Cyc Veh 7						
Dwell Cyc Veh 8						
Dwell Cyc Veh 9						
Dwell Cyc Veh 10						
Dwell Cyc Veh 11						
Dwell Cyc Veh 12						
Dwell Cyc Ped1						
Dwell Cyc Ped2						
Dwell Cyc Ped3						
Dwell Cyc Ped4						
Dwell Cyc Ped5						
Dwell Cyc Ped6						
Dwell vPed7						
Dwell Cyc Ped8						
Exit 1	2	4	2	2		
Exit 2	5	8	6	6		
Exit 3						
Exit 4						

Preempt LP

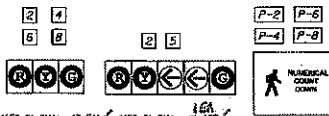
Channel	1	2	3	4
Min				
Max				
Enable				
Lock Mode	MAX	MAX	MAX	MAX
Coord in Preempt				
No Skip				
Priority P1				
Priority P2				
Priority P3				
Priority P4				
Lock				
Headway				
Group Lock				
Queue Jump				
Free Mode				
Alt Table				

SIGNAL OPERATING PLAN No. 11



AS-BUILT
HORSEPOWER ELECTRIC, INC.
 6105 WEST 20TH AVENUE
 HIALEAH, FLORIDA 33014

SIGNAL HEAD DETAILS

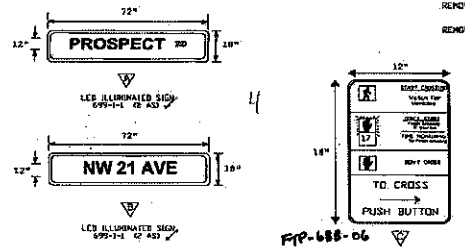


6509-01-011 17 EA ✓ 6509-01-011 1 EA ✓
 6509-003 3 EA ✓ 6509-003 3 EA ✓
 6509-004 2 EA ✓ 6509-004 2 EA ✓

SIGNAL TIMING

CONTROLLER PHASING SIGNAL FUNCTION NUMBER	1	2	3	A	D	8	7	8
PHASE NUMBER	1	2	3	4	5	6	7	8
FUNCTION	NS	NS	NS	NS	NS	NS	NS	NS
VEHICLE GREEN (MINIMUM)	10	8	8	4	10	8	8	8
VEHICLE EXTENSION (CAP)	3.0	3.0	1.5	3.0	3.0	2.5	3.0	3.0
MINIMUM GREEN B	10	10	10	10	10	10	10	10
MINIMUM GREEN H	10	10	10	10	10	10	10	10
YELLOW CLEARANCE	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
ALL-RED CLEARANCE	1.2	1.2	1.5	1.5	1.2	1.2	1.2	1.2
PHASE DETAIL	MIN	DEF	DEF	DEF	MIN	OFF	OFF	OFF
DETECTOR DELAY	3	3	3	3	3	3	3	3
PROSTRIAN WALK	7	7	7	7	7	7	7	7
PROSTRIAN CLEARANCE	24	12	3	24	12	12	12	12
FORWARDING				3	3			
FLASH OPERATION	YELLOW	RED	YELLOW	RED	RED	RED	RED	RED
GREEN RETURN	1	3	6	2	6	6	6	6

SIGN DETAILS



FP-655-06
 SEE POLICE TABULAR FOR ORIENTATION OF SIGNS

W. CORNER
 6509-01-011 17 EA ✓
 6509-003 3 EA ✓
 6509-004 2 EA ✓
 6509-005 2 EA ✓
 6509-006 2 EA ✓
 6509-007 2 EA ✓
 6509-008 2 EA ✓
 6509-009 2 EA ✓
 6509-010 2 EA ✓
 6509-011 2 EA ✓
 6509-012 2 EA ✓
 6509-013 2 EA ✓
 6509-014 2 EA ✓
 6509-015 2 EA ✓
 6509-016 2 EA ✓
 6509-017 2 EA ✓
 6509-018 2 EA ✓
 6509-019 2 EA ✓
 6509-020 2 EA ✓
 6509-021 2 EA ✓
 6509-022 2 EA ✓
 6509-023 2 EA ✓
 6509-024 2 EA ✓
 6509-025 2 EA ✓
 6509-026 2 EA ✓
 6509-027 2 EA ✓
 6509-028 2 EA ✓
 6509-029 2 EA ✓
 6509-030 2 EA ✓
 6509-031 2 EA ✓
 6509-032 2 EA ✓
 6509-033 2 EA ✓
 6509-034 2 EA ✓
 6509-035 2 EA ✓
 6509-036 2 EA ✓
 6509-037 2 EA ✓
 6509-038 2 EA ✓
 6509-039 2 EA ✓
 6509-040 2 EA ✓
 6509-041 2 EA ✓
 6509-042 2 EA ✓
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VIDEO DETECTOR ASSIGNMENTS

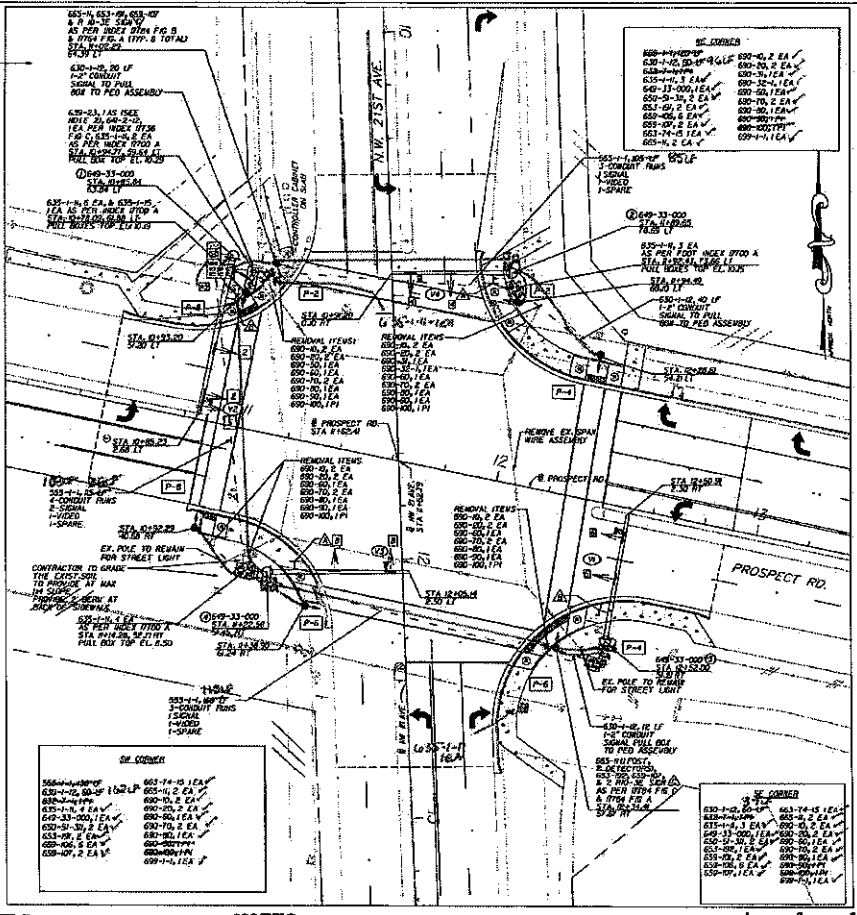
DETECTOR NAME	DETECTOR OPERATION	VEHICLE ID NUMBER	CONNECTED TO SIGNAL FUNCTION
V-1	VEHICLE	1	1
V-2	VEHICLE	2	2
V-3	VEHICLE	3	3
V-4	VEHICLE	4	4

REMOVAL ITEMS

- TRAFFIC SIGNAL HEAD ASSEMBLY 6509 - 100 (3) EA ✓
- SIGNAL PEDESTAL ASSEMBLY 6509 - 200 (3) EA ✓
- SIGNAL PEDESTAL REMOVAL 6509 - 300 (3) EA ✓
- POLE REMOVAL SMALL/DV 6509 - 32-12 (1) EA ✓
- CONTROLLER ASSEMBLY 6509 - 500 (1) EA ✓
- DETECTOR VEHICLE ASSEMBLY 6509 - 600 (1) EA ✓
- PEDESTRIAN DETECTOR ASSEMBLY 6509 - 700 (3) EA ✓
- SPAN WIRE ASSEMBLY 6509 - 800 (1) EA ✓
- REMOVE CABLES & CONDUIT 6509 - 900 (1) FT ✓
- REMOVE MISC. EQUIPMENT 6509 - 1000 (1) FT ✓

LEGEND

- EXISTING RIGHT OF WAY OR EASEMENT
- PROMISED UNDERGROUND CONDUIT
- OVERHEAD ELECTRIC
- EXISTING UNDERGROUND UTILITY
- EXISTING OVERHEAD CABLE
- NEW FIBER OPTIC PULL BOX
- NEW STANDARD PULL BOX



NOTES

- EXISTING SIGNAL OPERATING PLAN AND TIMING AS SHOWN.
- EXISTING 160 V. SERVICE POINT IS ON FT. POLE AT NW CORNER, CONSISTING OF A SCISSOR RISER ON THE NORTH FACE. REMOVE ALL OTHER SITE FACILITIES FROM THIS POLE, INCLUDING DOWN GUY, SCREW ANCHORS, RISERS AND BRACKETS.
- EXISTING TPO PULL BOX TO REMAIN. NOTIFY COMMUNICATIONS MANAGER AT (954) 347-2745 AT LEAST 48 HOURS BEFORE INTERRUPTING COMMUNICATIONS. SEE INTERCONNECT PLAN SHEET FOR MORE INFORMATION.
- INSTALL NEW CONTROLLER CABINET; REMOVE ALL EXISTING PULL BOXES AND OLD CONTROLLER CABINET.

REVISORS

DATE	BY	DESCRIPTION
05/20/21	A.S.	REVISION #01
05/20/21	A.S.	REVISION #02
05/20/21	C.D.	REVISION #03

ENGINEER OF RECORD:
MANUEL FONTAN, P.E.
 LICENSE NO. 70670
 BROWARD COUNTY HWY. CONSTRUCTION
 AND ENGINEERING DIVISION
 1 NORTH UNIVERSITY DRIVE
 PLANTATION, FL 33324



PUBLIC WORKS DEPARTMENT
HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

CITY	INTERSECTION	COUNTY PROJECT NO.
OAKLAND PARK	PROSPECT & NW 21 AVE	5384

SIGNALIZATION PLAN

1142
 SHEET NO. 12

BROWARD COUNTY TRAFFIC ENGINEERING DIVISION

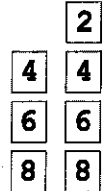
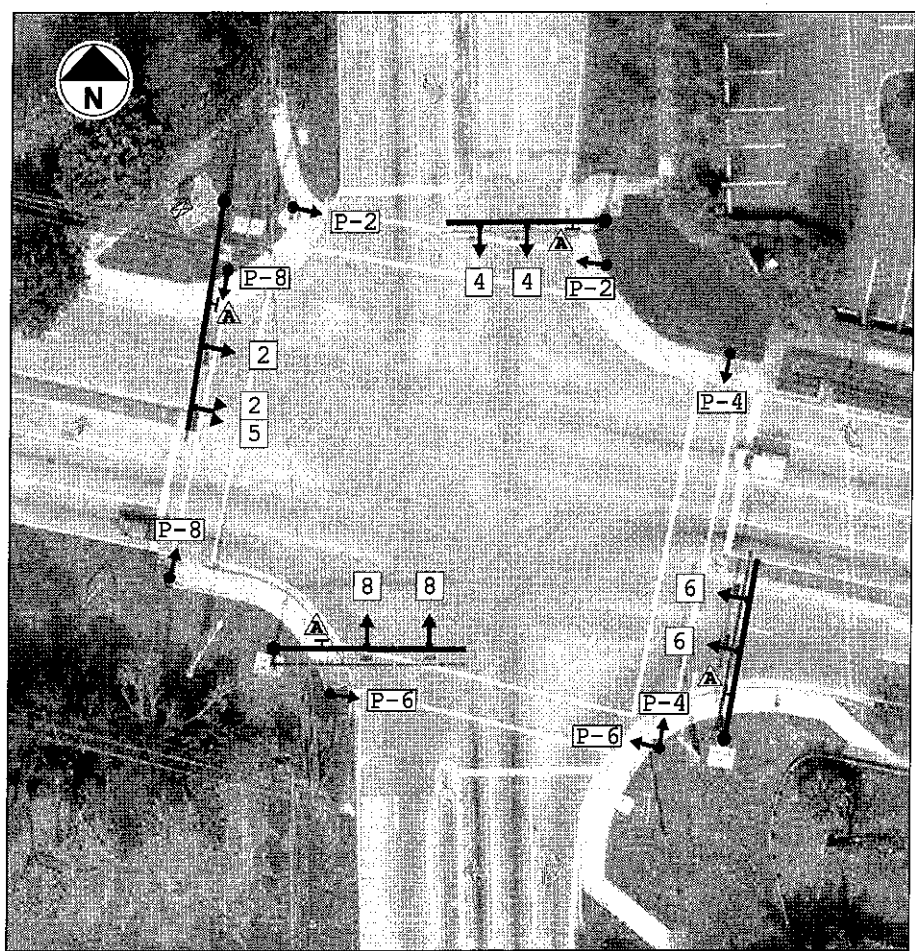
LOCATION Prospect Rd & NW 21 Ave

ORDER NO. _____ ISSUE DATE _____ REVISION NO. _____ COMPLETION DATE _____

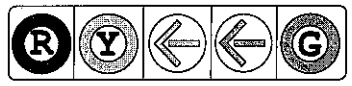
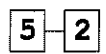
DWG. NO. _____ FILE NO. **1142** CITY **OAKLAND PARK** SCALE: 1" = 50'

NW 21 Ave

Prospect Rd



3-SECT
1-WAY
7-REQ'D

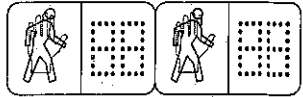
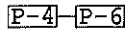


5-SECT
1-WAY
1-REQ'D

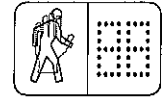
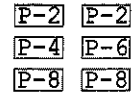


Illuminated
Street Name

4-REQ'D

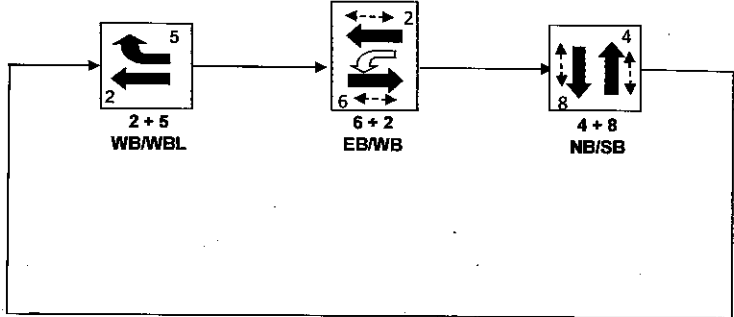


2-WAY
1-REQ'D


























1-WAY
6-REQ'D

**Sequence of Operation for (1142) Prospect Road and NW 21 Ave
Oakland Park**



Oak Tree LUPA Traffic Analysis
1: NW 21st Avenue & Prospect Road

Existing (2017) Conditions
Timing Plan: PM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	6	520	173	545	1022	62	75	227	335	44	557	21
Future Volume (vph)	6	520	173	545	1022	62	75	227	335	44	557	21
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	12	12	12	12	12
Grade (%)		0%			0%			0%			0%	
Storage Length (ft)	310		0	300		135	210		230	265		0
Storage Lanes	1		0	1		1	1		1	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.95	0.95	1.00	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95
Ped Bike Factor												
Frt		0.963				0.850			0.850		0.995	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1703	3280	0	1770	3539	1583	1641	1727	1468	1770	3522	0
Flt Permitted	0.257			0.174			0.268			0.468		
Satd. Flow (perm)	461	3280	0	324	3539	1583	463	1727	1468	872	3522	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		47				58			381			4
Link Speed (mph)		35			45			40				40
Link Distance (ft)		843			1500			400				1710
Travel Time (s)		16.4			22.7			6.8				29.1
Confl. Peds. (#/hr)												
Confl. Bikes (#/hr)												
Peak Hour Factor	0.91	0.91	0.91	0.92	0.92	0.92	0.88	0.88	0.88	0.95	0.95	0.95
Growth Factor	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	6%	6%	6%	2%	2%	2%	10%	10%	10%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	0	0	0	0
Parking (#/hr)												
Mid-Block Traffic (%)		0%			0%			0%			0%	
Adj. Flow (vph)	7	571	190	592	1111	67	85	258	381	46	586	22
Shared Lane Traffic (%)												
Lane Group Flow (vph)	7	761	0	592	1111	67	85	258	381	46	608	0
Turn Type	Perm	NA		pm+pt	NA	Perm	Perm	NA	Perm	Perm	NA	
Protected Phases		6		5	2			4				8
Permitted Phases	6			2		2	4		4	8		
Detector Phase	6	6		5	2	2	4	4	4	8	8	
Switch Phase												
Minimum Initial (s)	10.0	10.0		4.0	10.0	10.0	6.0	6.0	6.0	6.0	6.0	
Minimum Split (s)	36.5	36.5		9.5	36.5	36.5	35.5	35.5	35.5	32.5	32.5	
Total Split (s)	42.0	42.0		23.0	65.0	65.0	40.0	40.0	40.0	40.0	40.0	
Total Split (%)	40.0%	40.0%		21.9%	61.9%	61.9%	38.1%	38.1%	38.1%	38.1%	38.1%	
Yellow Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	
All-Red Time (s)	1.5	1.5		1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)	5.5	5.5		5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	
Lead/Lag	Lag	Lag		Lead								
Lead-Lag Optimize?	Yes	Yes		Yes								
Recall Mode	Min	Min		None	Min	Min	None	None	None	None	None	
Act Effect Green (s)	24.3	24.3		48.2	48.2	48.2	20.1	20.1	20.1	20.1	20.1	

Oak Tree LUPA Traffic Analysis
1: NW 21st Avenue & Prospect Road

Existing (2017) Conditions
Timing Plan: PM

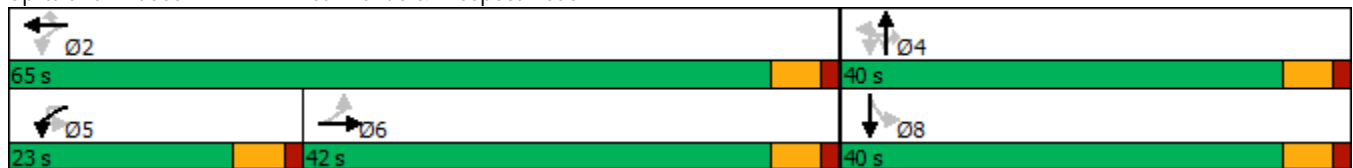


Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Actuated g/C Ratio	0.31	0.31		0.61	0.61	0.61	0.25	0.25	0.25	0.25	0.25	0.25
v/c Ratio	0.05	0.74		1.13	0.52	0.07	0.73	0.59	0.58	0.21	0.68	
Control Delay	22.5	28.3		101.6	11.0	3.3	63.6	32.7	6.8	27.0	31.1	
Queue Delay	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	22.5	28.3		101.6	11.0	3.3	63.6	32.8	6.8	27.0	31.1	
LOS	C	C		F	B	A	E	C	A	C	C	
Approach Delay		28.2			41.0			22.7				30.8
Approach LOS		C			D			C				C
Queue Length 50th (ft)	2	154		~258	135	2	37	108	0	17	136	
Queue Length 95th (ft)	13	277		#659	292	21	#103	206	59	51	227	
Internal Link Dist (ft)		763			1420			320			1630	
Turn Bay Length (ft)	310			300		135	210		230	265		
Base Capacity (vph)	218	1581		525	2739	1238	208	775	868	391	1582	
Starvation Cap Reductn	0	0		0	0	0	0	40	15	0	0	
Spillback Cap Reductn	0	0		0	0	0	0	0	0	0	0	
Storage Cap Reductn	0	0		0	0	0	0	0	0	0	0	
Reduced v/c Ratio	0.03	0.48		1.13	0.41	0.05	0.41	0.35	0.45	0.12	0.38	

Intersection Summary

Area Type:	Other
Cycle Length:	105
Actuated Cycle Length:	79.6
Natural Cycle:	105
Control Type:	Actuated-Uncoordinated
Maximum v/c Ratio:	1.13
Intersection Signal Delay:	33.4
Intersection LOS:	C
Intersection Capacity Utilization:	94.2%
ICU Level of Service:	F
Analysis Period (min):	15
~ Volume exceeds capacity, queue is theoretically infinite. Queue shown is maximum after two cycles.	
# 95th percentile volume exceeds capacity, queue may be longer. Queue shown is maximum after two cycles.	

Splits and Phases: 1: NW 21st Avenue & Prospect Road



Oak Tree LUPA Traffic Analysis
1: NW 21st Avenue & Prospect Road

Total (2024) Conditions - Buildout

Timing Plan: PM



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	8	569	197	584	1118	66	104	243	359	47	597	27
Future Volume (vph)	8	569	197	584	1118	66	104	243	359	47	597	27
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	12	12	12	12	12
Grade (%)		0%			0%			0%			0%	
Storage Length (ft)	310		0	300		135	210		230	265		0
Storage Lanes	1		0	1		1	1		1	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.95	0.95	1.00	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95
Ped Bike Factor												
Frt		0.961				0.850			0.850		0.994	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1703	3273	0	1770	3539	1583	1641	1727	1468	1770	3518	0
Flt Permitted	0.231			0.110			0.231			0.422		
Satd. Flow (perm)	414	3273	0	205	3539	1583	399	1727	1468	786	3518	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		41				60			408			4
Link Speed (mph)		35			35			40				40
Link Distance (ft)		843			1500			1060				1710
Travel Time (s)		16.4			29.2			18.1				29.1
Confl. Peds. (#/hr)												
Confl. Bikes (#/hr)												
Peak Hour Factor	0.91	0.91	0.91	0.92	0.92	0.92	0.88	0.88	0.88	0.95	0.95	0.95
Growth Factor	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	6%	6%	6%	2%	2%	2%	10%	10%	10%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	0	0	0	0
Parking (#/hr)												
Mid-Block Traffic (%)		0%			0%			0%			0%	
Adj. Flow (vph)	9	625	216	635	1215	72	118	276	408	49	628	28
Shared Lane Traffic (%)												
Lane Group Flow (vph)	9	841	0	635	1215	72	118	276	408	49	656	0
Turn Type	Perm	NA		pm+pt	NA	Perm	Perm	NA	Perm	Perm	NA	
Protected Phases		6		5	2			4				8
Permitted Phases	6			2		2	4		4	8		
Detector Phase	6	6		5	2	2	4	4	4	8	8	
Switch Phase												
Minimum Initial (s)	10.0	10.0		4.0	10.0	10.0	6.0	6.0	6.0	6.0	6.0	
Minimum Split (s)	36.5	36.5		9.5	36.5	36.5	35.5	35.5	35.5	32.5	32.5	
Total Split (s)	37.6	37.6		39.4	77.0	77.0	38.0	38.0	38.0	38.0	38.0	
Total Split (%)	32.7%	32.7%		34.3%	67.0%	67.0%	33.0%	33.0%	33.0%	33.0%	33.0%	
Yellow Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	
All-Red Time (s)	1.5	1.5		1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)	5.5	5.5		5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	
Lead/Lag	Lag	Lag		Lead								
Lead-Lag Optimize?	Yes	Yes		Yes								
Recall Mode	Min	Min		None	Min	Min	None	None	None	None	None	
Act Effect Green (s)	31.0	31.0		70.5	70.5	70.5	32.5	32.5	32.5	32.5	32.5	

Oak Tree LUPA Traffic Analysis
1: NW 21st Avenue & Prospect Road

Total (2024) Conditions - Buildout

Timing Plan: PM



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Actuated g/C Ratio	0.27	0.27		0.62	0.62	0.62	0.29	0.29	0.29	0.29	0.29	
v/c Ratio	0.08	0.91		1.07	0.56	0.07	1.04	0.56	0.57	0.22	0.65	
Control Delay	33.1	53.4		89.7	13.8	3.0	138.6	40.2	6.7	34.9	39.4	
Queue Delay	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	33.1	53.4		89.7	13.8	3.0	138.6	40.2	6.7	34.9	39.4	
LOS	C	D		F	B	A	F	D	A	C	D	
Approach Delay		53.2			38.5			37.6			39.0	
Approach LOS		D			D			D			D	
Queue Length 50th (ft)	5	301		~473	253	3	-95	175	0	28	223	
Queue Length 95th (ft)	19	#414		#701	311	21	#209	257	69	62	289	
Internal Link Dist (ft)		763			1420			980			1630	
Turn Bay Length (ft)	310			300		135	210		230	265		
Base Capacity (vph)	116	951		592	2221	1015	113	493	710	224	1006	
Starvation Cap Reductn	0	0		0	0	0	0	0	0	0	0	
Spillback Cap Reductn	0	0		0	0	0	0	0	0	0	0	
Storage Cap Reductn	0	0		0	0	0	0	0	0	0	0	
Reduced v/c Ratio	0.08	0.88		1.07	0.55	0.07	1.04	0.56	0.57	0.22	0.65	

Intersection Summary

Area Type: Other
 Cycle Length: 115
 Actuated Cycle Length: 114
 Natural Cycle: 115
 Control Type: Actuated-Uncoordinated
 Maximum v/c Ratio: 1.07
 Intersection Signal Delay: 41.3
 Intersection LOS: D
 Intersection Capacity Utilization 99.9%
 ICU Level of Service F
 Analysis Period (min) 15
 ~ Volume exceeds capacity, queue is theoretically infinite.
 Queue shown is maximum after two cycles.
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 1: NW 21st Avenue & Prospect Road



Oak Tree LUPA Traffic Analysis
1: NW 21st Avenue & Prospect Road

Background (2040) Conditions

Timing Plan: PM



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	8	655	217	685	1287	78	94	285	421	55	700	26
Future Volume (vph)	8	655	217	685	1287	78	94	285	421	55	700	26
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	12	12	12	12	12
Grade (%)		0%			0%			0%			0%	
Storage Length (ft)	310		0	300		135	210		230	265		0
Storage Lanes	1		0	1		1	1		1	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.95	0.95	1.00	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95
Ped Bike Factor												
Frt		0.963				0.850			0.850		0.995	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1703	3280	0	1770	3539	1583	1641	1727	1468	1770	3522	0
Flt Permitted	0.192			0.100			0.172			0.358		
Satd. Flow (perm)	344	3280	0	186	3539	1583	297	1727	1468	667	3522	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		36				55			478			3
Link Speed (mph)		35			35			40				40
Link Distance (ft)		843			1500			1060				1710
Travel Time (s)		16.4			29.2			18.1				29.1
Confl. Peds. (#/hr)												
Confl. Bikes (#/hr)												
Peak Hour Factor	0.91	0.91	0.91	0.92	0.92	0.92	0.88	0.88	0.88	0.95	0.95	0.95
Growth Factor	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	6%	6%	6%	2%	2%	2%	10%	10%	10%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	0	0	0	0
Parking (#/hr)												
Mid-Block Traffic (%)		0%			0%			0%			0%	
Adj. Flow (vph)	9	720	238	745	1399	85	107	324	478	58	737	27
Shared Lane Traffic (%)												
Lane Group Flow (vph)	9	958	0	745	1399	85	107	324	478	58	764	0
Turn Type	Perm	NA		pm+pt	NA	Perm	Perm	NA	Perm	Perm	NA	
Protected Phases		6		5	2			4				8
Permitted Phases	6			2		2	4		4	8		
Detector Phase	6	6		5	2	2	4	4	4	8	8	
Switch Phase												
Minimum Initial (s)	10.0	10.0		4.0	10.0	10.0	6.0	6.0	6.0	6.0	6.0	6.0
Minimum Split (s)	36.5	36.5		9.5	36.5	36.5	35.5	35.5	35.5	32.5	32.5	32.5
Total Split (s)	40.0	40.0		42.0	82.0	82.0	43.0	43.0	43.0	43.0	43.0	43.0
Total Split (%)	32.0%	32.0%		33.6%	65.6%	65.6%	34.4%	34.4%	34.4%	34.4%	34.4%	34.4%
Yellow Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	1.5	1.5		1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	5.5	5.5		5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5
Lead/Lag	Lag	Lag		Lead								
Lead-Lag Optimize?	Yes	Yes		Yes								
Recall Mode	Min	Min		None	Min	Min	None	None	None	None	None	None
Act Effect Green (s)	34.5	34.5		76.5	76.5	76.5	37.5	37.5	37.5	37.5	37.5	37.5

Oak Tree LUPA Traffic Analysis
1: NW 21st Avenue & Prospect Road

Background (2040) Conditions

Timing Plan: PM

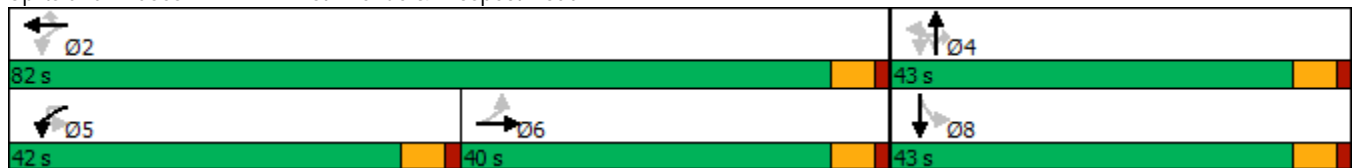


Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Actuated g/C Ratio	0.28	0.28		0.61	0.61	0.61	0.30	0.30	0.30	0.30	0.30	0.30
v/c Ratio	0.10	1.03		1.29	0.65	0.09	1.20	0.63	0.62	0.29	0.72	
Control Delay	37.1	79.9		176.2	17.3	4.4	199.1	44.0	6.8	38.5	43.6	
Queue Delay	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	37.1	79.9		176.2	17.3	4.4	199.1	44.0	6.8	38.5	43.6	
LOS	D	E		F	B	A	F	D	A	D	D	
Approach Delay		79.5			69.9			42.7				43.2
Approach LOS		E			E			D				D
Queue Length 50th (ft)	5	-424		-721	359	9	-105	226	0	36	289	
Queue Length 95th (ft)	21	#558		#964	432	30	#218	319	73	77	362	
Internal Link Dist (ft)		763			1420			980			1630	
Turn Bay Length (ft)	310			300		135	210		230	265		
Base Capacity (vph)	94	931		576	2165	990	89	518	775	200	1058	
Starvation Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.10	1.03		1.29	0.65	0.09	1.20	0.63	0.62	0.29	0.72	

Intersection Summary
























Area Type:	Other
Cycle Length:	125
Actuated Cycle Length:	125
Natural Cycle:	125
Control Type:	Actuated-Uncoordinated
Maximum v/c Ratio:	1.29
Intersection Signal Delay:	62.3
Intersection LOS:	E
Intersection Capacity Utilization:	112.4%
ICU Level of Service:	H
Analysis Period (min):	15
~ Volume exceeds capacity, queue is theoretically infinite. Queue shown is maximum after two cycles.	
# 95th percentile volume exceeds capacity, queue may be longer. Queue shown is maximum after two cycles.	

Splits and Phases: 1: NW 21st Avenue & Prospect Road



Oak Tree LUPA Traffic Analysis
1: NW 21st Avenue & Prospect Road

Total (2040) Conditions
Timing Plan: PM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	10	665	229	685	1307	78	118	285	421	55	700	30
Future Volume (vph)	10	665	229	685	1307	78	118	285	421	55	700	30
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	12	12	12	12	12
Grade (%)		0%			0%			0%			0%	
Storage Length (ft)	310		0	300		135	210		230	265		0
Storage Lanes	1		0	1		1	1		1	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.95	0.95	1.00	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95
Ped Bike Factor												
Frt		0.962				0.850			0.850		0.994	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1703	3276	0	1770	3539	1583	1641	1727	1468	1770	3518	0
Flt Permitted	0.188			0.095			0.192			0.382		
Satd. Flow (perm)	337	3276	0	177	3539	1583	332	1727	1468	712	3518	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		35				47			478			3
Link Speed (mph)		35			35			40				40
Link Distance (ft)		843			1500			1060				1710
Travel Time (s)		16.4			29.2			18.1				29.1
Confl. Peds. (#/hr)												
Confl. Bikes (#/hr)												
Peak Hour Factor	0.91	0.91	0.91	0.92	0.92	0.92	0.88	0.88	0.88	0.95	0.95	0.95
Growth Factor	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	6%	6%	6%	2%	2%	2%	10%	10%	10%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	0	0	0	0
Parking (#/hr)												
Mid-Block Traffic (%)		0%			0%			0%			0%	
Adj. Flow (vph)	11	731	252	745	1421	85	134	324	478	58	737	32
Shared Lane Traffic (%)												
Lane Group Flow (vph)	11	983	0	745	1421	85	134	324	478	58	769	0
Turn Type	Perm	NA		pm+pt	NA	Perm	Perm	NA	Perm	Perm	NA	
Protected Phases		6		5	2			4				8
Permitted Phases	6			2		2	4		4	8		
Detector Phase	6	6		5	2	2	4	4	4	8	8	
Switch Phase												
Minimum Initial (s)	10.0	10.0		4.0	10.0	10.0	6.0	6.0	6.0	6.0	6.0	6.0
Minimum Split (s)	36.5	36.5		9.5	36.5	36.5	35.5	35.5	35.5	32.5	32.5	32.5
Total Split (s)	42.0	42.0		43.0	85.0	85.0	50.0	50.0	50.0	50.0	50.0	50.0
Total Split (%)	31.1%	31.1%		31.9%	63.0%	63.0%	37.0%	37.0%	37.0%	37.0%	37.0%	37.0%
Yellow Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	1.5	1.5		1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	5.5	5.5		5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5
Lead/Lag	Lag	Lag		Lead								
Lead-Lag Optimize?	Yes	Yes		Yes								
Recall Mode	Min	Min		None	Min	Min	None	None	None	None	None	None
Act Effect Green (s)	36.5	36.5		79.5	79.5	79.5	44.5	44.5	44.5	44.5	44.5	44.5

Oak Tree LUPA Traffic Analysis
1: NW 21st Avenue & Prospect Road

Total (2040) Conditions
Timing Plan: PM



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Actuated g/C Ratio	0.27	0.27		0.59	0.59	0.59	0.33	0.33	0.33	0.33	0.33	
v/c Ratio	0.12	1.08		1.36	0.68	0.09	1.23	0.57	0.59	0.25	0.66	
Control Delay	41.5	98.1		208.3	21.2	6.2	199.5	42.1	6.2	36.6	42.0	
Queue Delay	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	41.5	98.1		208.3	21.2	6.2	199.5	42.1	6.2	36.6	42.0	
LOS	D	F		F	C	A	F	D	A	D	D	
Approach Delay		97.5			82.6			46.3			41.6	
Approach LOS		F			F			D			D	
Queue Length 50th (ft)	7	-493		-812	430	13	-144	234	0	37	302	
Queue Length 95th (ft)	25	#630		#1060	509	37	#272	326	70	77	375	
Internal Link Dist (ft)		763			1420			980			1630	
Turn Bay Length (ft)	310			300		135	210		230	265		
Base Capacity (vph)	91	911		546	2084	951	109	569	804	234	1161	
Starvation Cap Reductn	0	0		0	0	0	0	0	0	0	0	
Spillback Cap Reductn	0	0		0	0	0	0	0	0	0	0	
Storage Cap Reductn	0	0		0	0	0	0	0	0	0	0	
Reduced v/c Ratio	0.12	1.08		1.36	0.68	0.09	1.23	0.57	0.59	0.25	0.66	

Intersection Summary

























Area Type: Other
 Cycle Length: 135
 Actuated Cycle Length: 135
 Natural Cycle: 135
 Control Type: Actuated-Uncoordinated
 Maximum v/c Ratio: 1.36
 Intersection Signal Delay: 72.0
 Intersection LOS: E
 Intersection Capacity Utilization 113.1%
 ICU Level of Service H
 Analysis Period (min) 15
 ~ Volume exceeds capacity, queue is theoretically infinite.
 Queue shown is maximum after two cycles.
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 1: NW 21st Avenue & Prospect Road



Oak Tree LUPA Traffic Analysis
1: NW 21st Avenue & Prospect Road

Total (2040) Conditions w/ EBRT & Dual WBLT
Timing Plan: PM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	10	665	229	685	1307	78	118	285	421	55	700	30
Future Volume (vph)	10	665	229	685	1307	78	118	285	421	55	700	30
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	12	12	12	12	12
Grade (%)		0%			0%			0%			0%	
Storage Length (ft)	310		200	300		135	210		230	265		0
Storage Lanes	1		1	2		1	1		1	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.95	1.00	0.97	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95
Ped Bike Factor												
Frt			0.850			0.850			0.850		0.994	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1703	3406	1524	3433	3539	1583	1641	1727	1468	1770	3518	0
Flt Permitted	0.950			0.950			0.210			0.407		
Satd. Flow (perm)	1703	3406	1524	3433	3539	1583	363	1727	1468	758	3518	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			140			83			391			4
Link Speed (mph)		35			35			40			40	
Link Distance (ft)		843			1500			1060			1710	
Travel Time (s)		16.4			29.2			18.1			29.1	
Confl. Peds. (#/hr)												
Confl. Bikes (#/hr)												
Peak Hour Factor	0.91	0.91	0.91	0.92	0.92	0.92	0.88	0.88	0.88	0.95	0.95	0.95
Growth Factor	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	6%	6%	6%	2%	2%	2%	10%	10%	10%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	0	0	0	0
Parking (#/hr)												
Mid-Block Traffic (%)		0%			0%			0%			0%	
Adj. Flow (vph)	11	731	252	745	1421	85	134	324	478	58	737	32
Shared Lane Traffic (%)												
Lane Group Flow (vph)	11	731	252	745	1421	85	134	324	478	58	769	0
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Perm	NA	Perm	Perm	NA	
Protected Phases	1	6		5	2			4				8
Permitted Phases			6			2	4		4	8		
Detector Phase	1	6	6	5	2	2	4	4	4	8	8	
Switch Phase												
Minimum Initial (s)	4.0	10.0	10.0	4.0	10.0	10.0	6.0	6.0	6.0	6.0	6.0	
Minimum Split (s)	9.5	36.5	36.5	9.5	36.5	36.5	35.5	35.5	35.5	32.5	32.5	
Total Split (s)	9.5	37.2	37.2	26.8	54.5	54.5	41.0	41.0	41.0	41.0	41.0	
Total Split (%)	9.0%	35.4%	35.4%	25.5%	51.9%	51.9%	39.0%	39.0%	39.0%	39.0%	39.0%	
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag						
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes						
Recall Mode	None	Min	Min	None	Min	Min	None	None	None	None	None	
Act Effect Green (s)	4.0	27.9	27.9	21.3	53.0	53.0	35.6	35.6	35.6	35.6	35.6	

Oak Tree LUPA Traffic Analysis
1: NW 21st Avenue & Prospect Road

Total (2040) Conditions w/ EBRT & Dual WBLT
Timing Plan: PM

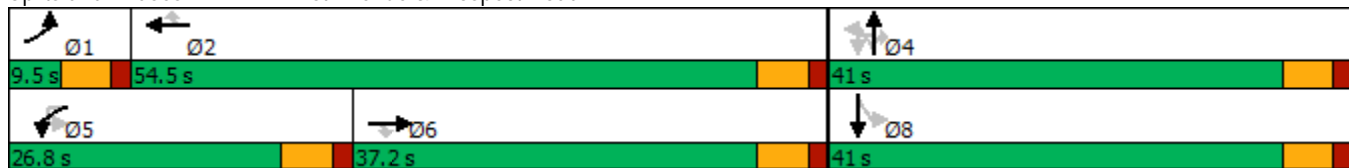


Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Actuated g/C Ratio	0.04	0.28	0.28	0.21	0.52	0.52	0.35	0.35	0.35	0.35	0.35	0.35
v/c Ratio	0.16	0.78	0.48	1.03	0.77	0.10	1.06	0.54	0.62	0.22	0.62	0.62
Control Delay	54.4	40.2	16.5	82.3	23.4	3.7	132.5	31.1	9.7	27.4	30.4	30.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	54.4	40.2	16.5	82.3	23.4	3.7	132.5	31.1	9.7	27.4	30.4	30.4
LOS	D	D	B	F	C	A	F	C	A	C	C	C
Approach Delay		34.4			42.1			34.7				30.2
Approach LOS		C			D			C				C
Queue Length 50th (ft)	7	228	57	~279	352	1	-99	172	40	27	221	221
Queue Length 95th (ft)	26	297	131	#404	537	27	#217	258	134	62	293	293
Internal Link Dist (ft)		763			1420			980				1630
Turn Bay Length (ft)	310		200	300		135	210		230	265		
Base Capacity (vph)	67	1067	573	722	1861	872	127	605	769	266	1237	1237
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.16	0.69	0.44	1.03	0.76	0.10	1.06	0.54	0.62	0.22	0.62	0.62

Intersection Summary

Area Type: Other
 Cycle Length: 105
 Actuated Cycle Length: 101.4
 Natural Cycle: 105
 Control Type: Actuated-Uncoordinated
 Maximum v/c Ratio: 1.06
 Intersection Signal Delay: 37.2
 Intersection LOS: D
 Intersection Capacity Utilization 87.3%
 ICU Level of Service E
 Analysis Period (min) 15
 ~ Volume exceeds capacity, queue is theoretically infinite.
 Queue shown is maximum after two cycles.
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 1: NW 21st Avenue & Prospect Road



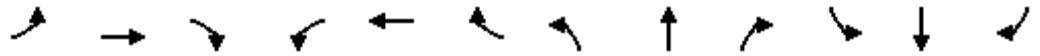
Oak Tree LUPA Traffic Analysis Total (2040) Conditions w/ EBRT & Dual WBLT & P&P NBLT
 1: NW 21st Avenue & Prospect Road

Timing Plan: PM



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	10	665	229	685	1307	78	118	285	421	55	700	30
Future Volume (vph)	10	665	229	685	1307	78	118	285	421	55	700	30
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12	12	12	12	12	12	12
Grade (%)		0%			0%			0%			0%	
Storage Length (ft)	310		200	300		135	210		230	265		0
Storage Lanes	1		1	2		1	1		1	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.95	1.00	0.97	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95
Ped Bike Factor												
Frt			0.850			0.850			0.850		0.994	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1703	3406	1524	3433	3539	1583	1641	1727	1468	1770	3518	0
Flt Permitted	0.950			0.950			0.129			0.564		
Satd. Flow (perm)	1703	3406	1524	3433	3539	1583	223	1727	1468	1051	3518	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			188			134			422			4
Link Speed (mph)		35			35			40				40
Link Distance (ft)		843			1500			1060				1710
Travel Time (s)		16.4			29.2			18.1				29.1
Confl. Peds. (#/hr)												
Confl. Bikes (#/hr)												
Peak Hour Factor	0.91	0.91	0.91	0.92	0.92	0.92	0.88	0.88	0.88	0.95	0.95	0.95
Growth Factor	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	6%	6%	6%	2%	2%	2%	10%	10%	10%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0	0	0	0	0	0	0
Parking (#/hr)												
Mid-Block Traffic (%)		0%			0%			0%				0%
Adj. Flow (vph)	11	731	252	745	1421	85	134	324	478	58	737	32
Shared Lane Traffic (%)												
Lane Group Flow (vph)	11	731	252	745	1421	85	134	324	478	58	769	0
Turn Type	Prot	NA	Perm	Prot	NA	Perm	pm+pt	NA	Perm	Perm	NA	
Protected Phases	1	6		5	2		7	4				8
Permitted Phases			6			2	4		4	8		
Detector Phase	1	6	6	5	2	2	7	4	4	8		8
Switch Phase												
Minimum Initial (s)	4.0	10.0	10.0	4.0	10.0	10.0	5.0	6.0	6.0	6.0	6.0	
Minimum Split (s)	9.5	36.5	36.5	9.5	36.5	36.5	10.5	35.5	35.5	32.5	32.5	
Total Split (s)	9.5	36.9	36.9	29.2	56.6	56.6	11.4	43.9	43.9	32.5	32.5	
Total Split (%)	8.6%	33.5%	33.5%	26.5%	51.5%	51.5%	10.4%	39.9%	39.9%	29.5%	29.5%	
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lead			Lag	Lag	
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes			Yes	Yes	
Recall Mode	None	Min	Min	None	Min	Min	None	None	None	None	None	
Act Effect Green (s)	4.0	28.3	28.3	23.8	55.8	55.8	36.8	36.8	36.8	25.4	25.4	

Oak Tree LUPA Traffic Analysis Total (2040) Conditions w/ EBRT & Dual WBLT & P&P NBLT
 1: NW 21st Avenue & Prospect Road Timing Plan: PM



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Actuated g/C Ratio	0.04	0.27	0.27	0.23	0.53	0.53	0.35	0.35	0.35	0.24	0.24	
v/c Ratio	0.17	0.80	0.46	0.96	0.76	0.09	0.85	0.54	0.61	0.23	0.91	
Control Delay	57.6	43.6	12.1	66.3	23.7	0.9	71.7	32.0	8.1	35.9	54.5	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	57.6	43.6	12.1	66.3	23.7	0.9	71.7	32.0	8.1	35.9	54.5	
LOS	E	D	B	E	C	A	E	C	A	D	D	
Approach Delay		35.7				37.0				25.5		53.2
Approach LOS		D				D				C		D
Queue Length 50th (ft)	8	246	34	~276	376	0	67	182	27	33	275	
Queue Length 95th (ft)	27	318	104	#404	563	8	#151	264	109	70	#382	
Internal Link Dist (ft)		763				1420				980		1630
Turn Bay Length (ft)	310		200	300		135	210		230	265		
Base Capacity (vph)	64	1018	587	774	1882	904	157	631	804	269	907	
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	
Reduced v/c Ratio	0.17	0.72	0.43	0.96	0.76	0.09	0.85	0.51	0.59	0.22	0.85	

Intersection Summary

Area Type: Other
 Cycle Length: 110
 Actuated Cycle Length: 105.5
 Natural Cycle: 110
 Control Type: Actuated-Uncoordinated
 Maximum v/c Ratio: 0.96
 Intersection Signal Delay: 37.3
 Intersection LOS: D
 Intersection Capacity Utilization 87.3%
 ICU Level of Service E
 Analysis Period (min) 15
 ~ Volume exceeds capacity, queue is theoretically infinite.
 Queue shown is maximum after two cycles.
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

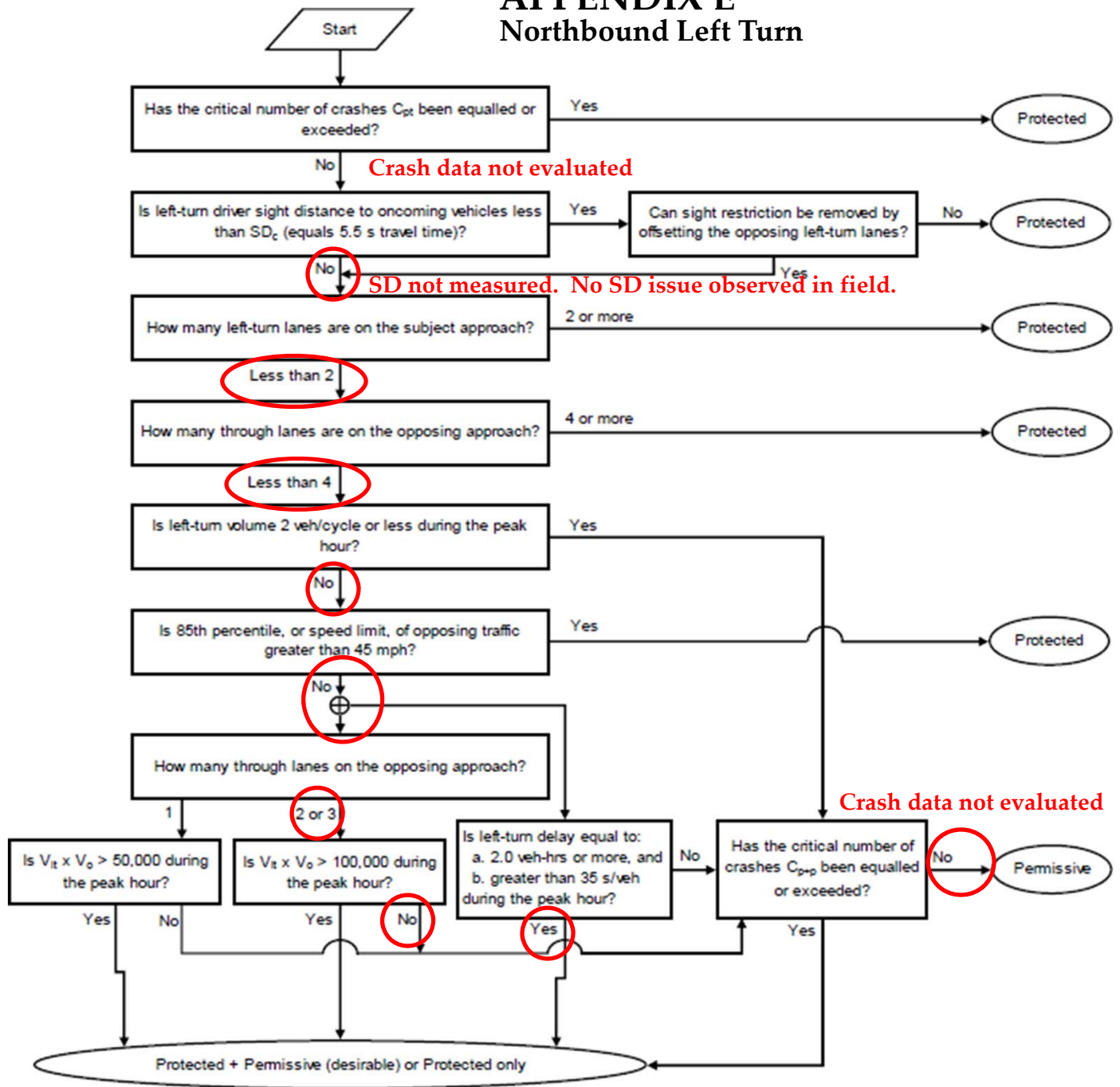
Splits and Phases: 1: NW 21st Avenue & Prospect Road



APPENDIX E

LEFT TURN PHASE WARRANT ANALYSIS – NORTHBOUND LEFT TURN

APPENDIX E Northbound Left Turn



Number of Left-turn Movements on Subject Road	Period During Which Crashes are Considered (years)	Critical Left-Turn-Related Crash Count	
		When Considering Protected-only, C_{pt} (crashes/period)	When Considering Prot.+Perm, C_{p+p} (crashes/period)
One	1	6	4
One	2	11	6
One	3	14	7
Both	1	11	6
Both	2	18	9
Both	3	26	13

Oncoming Traffic Speed Limit (mph)	Minimum Sight Distance to Oncoming Vehicles, SD_c (ft)
25	200
30	240
35	280
40	320
45	360
50	400
55	440
60	480

Variables

V_{lt} = left-turn volume on the subject approach, veh/h

V_o = through plus right-turn volume on the approach opposing the subject left-turn movement, veh/h

ATTACHMENT 5.B.

GreenspoonMarder LLP

Dennis D. Mele, Partner
PNC Building
200 East Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Direct Phone: 954.527.2409
Direct Fax: 954.333.4009
Email: dennis.mele@gmlaw.com

January 7, 2019

VIA E-MAIL

Barbara Blake Boy
Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301



Re: Oak Tree Land Use Plan Amendment (PC19-2)

Dear Barbara:

On behalf of our client, Pulte Home Company LLC, we agree to mitigate the traffic impacts of the Oak Tree Land Use Plan Amendment (PC19-2) by implementing the following improvements provided that sufficient right of way exists:

1. Prospect Road and NW 21 Ave: Construct a dual westbound left-turn lanes with at least 300 feet (more if possible) of storage. Add corresponding signalization displays to accommodate this dual westbound-left.
2. Prospect Road and NW 21 Avenue: Install a corresponding protected-only eastbound-left turn phase. Alternatively, if a sufficient sightline offset can be achieved with respect to new dual westbound left-turn lanes noted in Item 1 above, this may be omitted.
3. Prospect Road and NW 21 Avenue: Construct a 200-foot eastbound right-turn storage lane.
4. Prospect Road and NW 21 Ave: Add a protected-to-permissive northbound left-turn signal phase.
5. On NW 21 Avenue from Prospect Road to NW 44 Street: Create a continuous second through lane linking Prospect Road and NW 44 Street. This will become a southbound drop lane ending at NW 44 Street.

These improvements will be completed prior to the certificate of occupancy for the 365th residential dwelling unit. Prior to second reading of the land use plan amendment we will provide a Declaration of Restrictive Covenant including these improvements.

Sincerely,

GREENSPOON MARDER LLP

A handwritten signature in blue ink, appearing to read "Dennis D. Mele".

Dennis D. Mele, Esq.

Boca Raton Denver Ft. Lauderdale Iselin Las Vegas Los Angeles Miami Miami Beach Naples
Nevada City New York Orlando Phoenix Portland San Diego Tallahassee Tampa West Palm Beach

37554290.1
40273.0002

ATTACHMENT 6

From: [Sebo, Andrew](#)
To: [Blake Boy, Barbara](#)
Cc: [Caratozzolo, Carmelo](#); [Kleinedler, John](#); [Von Stefina, Deanne](#); [Zhu, Charlie](#); [Teetsel, Dawn](#)
Subject: RE: Oak Tree
Date: Tuesday, December 18, 2018 9:04:27 PM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

Good Evening Barbara,
Please see our findings as follow - thanks:

The Broward County Traffic Engineering Division has reviewed the traffic assessment and agrees with the study's recommendations.

A synopsis of the geometric and signalization proposals (capacity improvements) from the traffic study are understood to be:

1. Prospect Road and NW 21 Ave: Construct a dual westbound left-turn lanes with at least 300 feet (more if possible) of storage.
 - Add corresponding signalization displays to accommodate this dual westbound-left.
2. Prospect Road and NW 21 Avenue: Install a corresponding protected-only eastbound-left turn phase. Alternatively, if a sufficient sightline offset can be achieved with respect to new dual westbound left-turn lanes noted in Item 1 above, this may be omitted.
3. Prospect Road and NW 21 Avenue: Construct a 200-foot eastbound right-turn storage lane.
4. Prospect Road and NW 21 Ave: Add a protected-to-permissive northbound left-turn signal phase.
5. On NW 21 Avenue from Prospect Road to NW 44 Street: Create a continuous second through lane linking Prospect Road and NW 44 Street. This will become a southbound drop lane ending at NW 44 Street.

Based on the study and our internal verification of the traffic simulation presented, the above-noted proposed capacity improvements submitted by McMahan will adequately mitigate the impacts of the Oak Tree development.



Andrew G. Sebo, P.E., PTOE, Interim Director
Broward County Traffic Engineering Division
2300 West Commercial Boulevard, Fort Lauderdale, FL 33309
Office Tel. No.: 954.847.2600, Facsimile Transmittal No.: 954.847.2700
asebo@broward.org www.broward.org



From: Blake Boy, Barbara <BBLAKEBOY@broward.org>
Sent: Thursday, December 06, 2018 11:12 AM
To: 'Lercari, Natalia' <nlercari@mcmahonassociates.com>; Von Stetina, Deanne <DVONSTETINA@broward.org>
Cc: Sebo, Andrew <ASEBO@broward.org>; Caratozzolo, Carmelo <CCARATOZZOLO@broward.org>; Dennis Mele <dennis.mele@gmlaw.com>; Patrick Gonzalez <Patrick.Gonzalez@Pulte.com>; Bradley Kesselman <Bradley.Kesselman@Pulte.com>; 'Andrew Maxey' <Andrew.Maxey@PulteGroup.com>; Ken DeLaTorre <ken@designandentitlement.com>; 'jeff@schnars.com' <jeff@schnars.com>; Cynthia Pasch <cynthia.pasch@gmlaw.com>; Kleinedler, John <JKLEINEDLER@broward.org>
Subject: RE: Oak Tree

Thank you. Received and will be distributed as appropriate.

From: Lercari, Natalia <nlercari@mcmahonassociates.com>
Sent: Thursday, December 6, 2018 10:22 AM
To: Blake Boy, Barbara <BBLAKEBOY@broward.org>; Von Stetina, Deanne <DVONSTETINA@broward.org>
Cc: Sebo, Andrew <ASEBO@broward.org>; Caratozzolo, Carmelo <CCARATOZZOLO@broward.org>; Dennis Mele <dennis.mele@gmlaw.com>; Patrick Gonzalez <Patrick.Gonzalez@Pulte.com>; Bradley Kesselman <Bradley.Kesselman@Pulte.com>; 'Andrew Maxey' <Andrew.Maxey@PulteGroup.com>; Ken DeLaTorre <ken@designandentitlement.com>; 'jeff@schnars.com' <jeff@schnars.com>; Cynthia Pasch <cynthia.pasch@gmlaw.com>; Kleinedler, John <JKLEINEDLER@broward.org>
Subject: Oak Tree

External Email Warning: This email originated from outside the Broward County email system. Do not reply, click links, or open attachments unless you recognize the sender's **email address** (not just the name) as legitimate and know the content is safe. Report any suspicious emails to ETSSecurity@broward.org.

Good Morning Barbara,

Last week we had a meeting at Broward County Traffic Division regarding proposed mitigation for the Oak Tree Development Land Use Plan Amendment.

Attached please find the traffic study we have prepared for the Oak Tree project. I am also attaching the Synchro files that were requested by the County.

Please feel free to call me with any questions.

Can you please confirm receipt of email.

Thanks,

Natalia Lercari, P.E., LEED Green Associate | Senior Project Manager
O: 561.840.8650 x 4105

2090 Palm Beach Lakes Blvd., Suite 400
West Palm Beach, FL 33409
nlercari@mcmahonassociates.com
www.mcmahonassociates.com



 Please consider the environment before printing this email



Transportation Department
TRANSIT DIVISION-Service and Capital Planning
 1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8482

VIA EMAIL

September 24, 2018



Barbara Blake Boy, Executive Director
 Broward County Planning Council
 115 South Andrews Ave, Room 307
 Fort Lauderdale, FL 33301

RE: Proposed Amendment to Broward County Land Use Plan PCT 19-2

Dear Ms. Blake Boy,

Broward County Transit (BCT) has reviewed your correspondence dated August 22, 2018, regarding the proposed Land Use Plan Amendment (LUPA) located in the City of Oakland Park for current and planned transit service. Current transit service provided within a quarter mile of the amendment site is limited to BCT fixed routes 11, 31, and 55. Please refer to the following table for detailed information:

BCT ROUTE	DAYS OF SERVICE	HOURS OF SERVICE A.M. – P.M	SERVICE FREQUENCY
11	Weekday	5:00a – 11:47p	34 Minutes
	Saturday	5:00a – 11:21p	45 Minutes
	Sunday	7:00a – 9:23p	57 Minutes
31	Weekday	5:03a – 11:51p	30 Minutes
	Saturday	5:28a – 10:59p	50 Minutes
	Sunday	8:50a – 9:16p	50 Minutes
55	Weekday	5:05a – 10:06p	32 Minutes
	Saturday	6:00a – 9:30p	45 Minutes
	Sunday	9:00a – 8:00p	45 Minutes

The Transit Development Plan (TDP) for BCT specifies planned improvements to the routes above including shorter headways, longer service spans, an extension of route 11 west to Rock Island Road, a realignment and extension of route 31 between NW 19th



Transportation Department

TRANSIT DIVISION-Service and Capital Planning

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8482

Street and Broward College Central Campus, and an extension of route 55 west to Sawgrass Mills Mall.

BCT can accommodate additional transit demand, as described in the Mass Transit Analysis, with existing and planned fixed route bus service to the amendment site.

BCT has no objections to this LUPA but recommends that any proposed development on the amendment site be designed to provide safe movement for pedestrians and bicycles including connectivity between the existing sidewalk/bicycle network and bus stops. Any proposed changes to existing bus stops within the amendment site related to a future development must be closely coordinated with BCT during the plat or development/site plan review.

Please feel free to call me at 954-357-8554 or email me at rhatch@broward.org if you require any additional information or clarification on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Ryan Hatch".

Ryan Hatch
Service Planner
Service and Capital Planning

ATTACHMENT 8



Environmental Protection and Growth Management Department

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

115 S. Andrews Avenue, Room 329K • Fort Lauderdale, Florida 33301 • 954-357-6634 • FAX 954-357-8655

DATE: September 19, 2018

TO: Barbara Blake Boy, Executive Director
Broward County Planning Council

FROM: Josie P. Sesodia, AICP, Director
Planning and Development Management Division

SUBJECT: Broward County Land Use Plan
Review of Proposed Amendment – Oakland Park PC 19-2



The Broward County Planning and Development Management Division staff has reviewed proposed amendment PC 19-2. The subject site is located in Oakland Park, involving approximately 140.7 acres. The amendment proposes:

*Current Designations: 132.7 acres of Recreation and Open Space
6.0 acres of Low-Medium (10) Residential
2.0 acres of Low (5) Residential*

Proposed Designation: Irregular (2.88) Residential

*Estimated Net Effect: Addition of 335 dwelling units (Dwelling units currently permitted by the Broward County Land Use Plan: 70. Total dwelling units proposed: 405)
Reduction of 132.7 acres of Recreation and Open Space use*

Item 7 – Analysis of Natural and Historic Resources

- A. The County's archaeological consultant determined, based on the available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF), that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity.
- B. Comments and recommendations pertaining to this land use plan amendment for historic/archaeological resources:
1. The City of Oakland Park has jurisdiction over historical resources located within the City. Property owner(s)/agent(s) are advised to contact the municipality to seek project review for compliance with municipal historic preservation regulations.

Contact: Attn: Historic Preservation
Engineering and Community Development
City of Oakland Park
3650 Northeast 12th Avenue
Oakland Park, Florida 33334
Tel.: (954) 630-4348

2. In the event that unmarked burials are discovered, then pursuant to Florida State Statutes, Chapter 872.05, "all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist."

Contact: Broward County Medical Examiner
5301 S.W. 31st Avenue
Fort Lauderdale, Florida 33312
Telephone: (954) 357-5200
Fax: (954) 327-6580
Email: Med_Exam_Trauma@broward.org
Website: <http://www.broward.org/MedicalExaminer>

Item 8 - Affordable Housing

Amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the Broward County Land Use Plan (BCLUP) are subject to the requirements of BCLUP Policy 2.16.2 and Article 5 of the BrowardNEXT Administrative Rules Document ("Rules Document"). Policy 2.16.2 requires the involved municipality to provide those professionally accepted methodologies, policies, and best available data and analysis, which the municipality has used to define affordable housing needs and solutions within the municipality. A total of 70 residential units were previously permitted under the existing Land Use Plan, and this application proposes a total of 405 units (number of units permitted under Irregular 2.88 Residential land use). The request represents a net increase of 335 dwelling units; therefore, Policy 2.16.2 applies to this project.

According to the applicant, the City of Oakland Park does not manage state and/or federal funds; rather, it participates in the County's Community Development Block Grant (CDBG) Program and other County affordable housing initiatives. The City has initiated a program which transfers City-owned lots to qualified applicants to construct single family homes. In addition, the City's adopted Comprehensive Plan includes a housing element that sets forth certain affordable housing goals, objectives and policies.

The applicant also submitted an Affordable Housing Analysis for Oaktree Property, May 2018. The Analysis utilized the methodology referenced in the Rules Document to estimate the supply of affordable housing within the City of Oakland Park for the very low, low, and moderate-income levels, and also provided information regarding owner-occupied and renter housing. Based on 2017 American Community Survey (ACS) data, the Analysis concluded that there is a combined net surplus of 2,044 affordable dwelling units. More specifically, there is a deficit of 25 of moderate income owner-units and 1,852 very low-income rental units, totaling a deficit of 1,877.

The applicant does not propose to designate any units as affordable units. Additionally, the Analysis does not provide future demand/supply forecasts. Although the affordable housing assessment submitted by the City of Oakland Park generally indicates consistency with BCLUP Policy 2.16.2 and Article 5 of the Rules Document, the shortfall of moderate-income owner units and very low-income rental units remains an issue. It is recommended that prior to the second BCLUP Planning Council public hearing, the City of Oakland Park provide additional information regarding the City's future supply of affordable housing and plans to further address the current and any future shortage of affordable owner and rental units, consistent with Article 5.3 of the Rules Document, which requires a minimum 5-year planning horizon.

Item 11 – Redevelopment Analysis

The proposed amendment site is not located within Community Redevelopment Area.

Item 12 – Intergovernmental Coordination

At its closest point, the City of Fort Lauderdale is separated from the amendment site by West Prospect Road. The City of Tamarac is located approximately 675 feet to the north. The City of Lauderdale Lakes is located approximately 1,325 feet to the west.

Complete Streets

Broward County strongly supports Complete Streets and the expansion of bicycle, pedestrian and greenway networks. The amendment site is served by Broward County Transit (BCT) Routes 11, 31, and 55. The 2017-2027 Vision Service Plan component of the BCT Transit Development Plan includes service span, headway improvements, and route extensions for these routes.

The amendment site is bounded by Prospect Road, NW 44th Street, and NW 21st Avenue. Existing pedestrian and bicycle infrastructure surrounding the site could be improved. Specifically, there are no sidewalks adjacent to the amendment site. Bicycle lanes are currently planned to be constructed on Prospect Road adjacent to the amendment site. However, there are no bicycle lanes on NW 44th Street or NW 21st Avenue. PDMD recommends that the amendment site be designed to include safe and convenient connections between the development and the surrounding transportation network. To further enhance the pedestrian and bicycle quality of service, consider including amenities, such as pedestrian-scale lighting, shade trees, bicycle racks/lockers, and bicycle repair stations. For the convenience of future residents and visitors who wish to reduce their carbon footprint, consider providing electric vehicle charging stations at strategic locations within the amendment site.

If you have any questions, please contact Sara Forelle at sforelle@broward.org or 954-357-6635.

- cc: Henry Sniezek, Director, Environmental Protection and Growth Management Department
Ralph Stone, Director, Housing Finance and Community Redevelopment Division
Darby Delsalle, Assistant Director, Planning and Development Management Division
Sara Forelle, AICP, Planning Section Supervisor, Planning and Development Management Division
Susanne Carrano, Senior Planner, Planning and Development Management Division
Heather Cunniff, AICP, Senior Planner, Planning and Development Management Division
Rick Ferrer, Broward County Historic Preservation Officer

JS/slf/hec

OAKTREE PROPERTY
LAND USE PLAN AMENDMENT
Affordable Housing Analysis

May 2018

Introduction

This affordable housing analysis is provided as part of the land use plan amendment application for the Oaktree Property in the City of Oakland Park. The amendment request is to change the land use plan designation on the City of Oakland Park Land Use Plan Map from Parks/Recreation to Irregular (3.24) Residential. This proposed land use plan amendment would add 455 dwelling units to the City of Oakland Park.

The BrowardNext County Land Use Plan contains POLICY 2.16.2, which states in part, for amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the BCLUP, Broward County and affected municipalities shall coordinate and cooperate to implement the affected municipality's chosen policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing. The purpose of this report is to address POLICY 2.16.2. in conformance with BrowardNext County Land Use Plan Administrative Rules The methodology for this report is based on the "*Recommended Methodology for Supply & Demand Analysis for Broward County's Affordable Housing Market*" prepared by Meridian Appraisal Group and dated June 9, 2015.

Affordable housing is generally defined as housing that is affordable to households that earn 120% or less of median area-wide income. Housing payments includes monthly rents or monthly mortgage payments (including taxes and insurance). The definition of affordable housing is further broken down into three subcategories: very low = 50%; low = 80%; moderate = 120% of the median income limits adjusted for family size for the households.

Data and Analysis

The data set used in the analysis is the latest available data in the U.S. Census Bureau American Community Survey for calendar year 2017. A summary of the 2017 population and housing characteristics in the City are provided below.

Demographic	2017 ACS Estimates
Population	43,660
Median Household Income	\$46,447
Housing Units, Total	18,742
Housing Units, Occupied	16,498

Using the 2017 American Community Survey data published by the U.S. Census Bureau and the methodology developed by the Meridian Appraisal Group, the analysis provided the following estimates of supply, demand, and differences (Gap) in the three subcategories of affordable housing:

2017 ACS Data		Affordable Housing Summary - City of Oakland Park, Florida						
\$63,300		Demand(D)			Supply(S)			No Gap/(Gap)
Choose Bands	Inc. Band	Owner	Owner	S-D	Inc. Band	Renter	Renter	S-D
0.0% - 50.0%	\$0	2,133	2,538	405	\$0	3,375	1,523	(1,852)
	\$31,650	24.4%	29.1%		\$791	43.5%	20.1%	
50.1% - 80.0%	\$31,713	1,659	2,621	962	\$793	1,784	3,132	1,347
	\$50,640	19.0%	30.0%		\$1,266	23.0%	41.2%	
80.1% - 120.0%	\$50,703	1,935	1,910	(25)	\$1,268	1,405	2,612	1,207
	\$75,960	22.2%	21.9%		\$1,899	18.1%	34.4%	

Source: 2017 American Community Survey, U.S. Census Bureau

The left side of this chart indicates there is a 25 unit shortage of affordable homes for the moderate income owners earning 80.1-120% of the adjusted median income for Broward County and surpluses in the two lower income categories. The right side of the chart indicates a shortage of 1,852 units for very low income renter households earning 50% or less of the adjusted median income for Broward County for Broward County and surpluses in the two higher income categories.

City of Oakland Park Affordable Housing Summary

The pattern of affordable housing supply and demand in the City of Oakland Park is not unusual and is repeated in many cities through Broward County. Due in part to the City's relatively small population, the City does not directly manage any State or Federal funding dollars for the provision of affordable housing. Any funds that are available for this purpose are directed to Broward County. The City participated in the Broward County Community Development Block Grant Program (CDBG). The City also relies on the programs implemented by the County Community Development Division which builds new low and moderate-income houses to replace dilapidated units in their redevelopment area.

Oakland Park has begun a program which transfers City-owned lots to qualifying households who must agree to construct a single-family house. The City controls additional lots which are available for this program.

In addition, the City's Comprehensive Plan provides for the following to guide the provision of affordable housing in the City:

Objective 3.1 Affordable housing opportunities for very low, low and moderate income households exists in the City of Oakland Park, and the City shall continue to encourage and assist, as appropriate, property owners in the preservation and maintenance of such housing units. The City shall establish a housing program to assist in providing "in-fill" housing to accommodate demand by 2015. "In-fill" is new housing on scattered vacant

lots in neighborhoods which are largely developed. The City's program shall address a variety of housing types and encourage owner occupied units.

Policy 3.1.3 The City's Development Services Department shall coordinate with private developers, non-profit partnerships, and appropriate governmental agencies, including HUD and the State of Florida Department of Community Affairs, whenever possible, to facilitate implementation of this Element.

Policy 3.1.5 The City shall continue to apply for CDBG funds to provide for the completion of additional improvements including demolition and rehabilitation of existing substandard housing units in the Rock Island Redevelopment Area and designated Community Redevelopment Area in order to increase the supply of quality affordable housing.

Policy 3.1.6 A key component of the City's affordable/workforce housing program shall be to maintain and rehabilitate existing housing units to preserve the City's housing supply. The City shall continue to provide incentives to owners of substandard housing to rehabilitate existing housing through coordination with Broward County in the implementation of the Broward County Housing Rehabilitation Program and through enforcement of the City's minimum housing code and other code enforcement action in order to maintain or improve the quality of the City's existing housing stock.

Objective 3.2 The City shall enhance its existing affordable/workforce housing programs to increase the supply of affordable housing for very low, low and moderate income households by working with the public and private sectors. Furthermore, the City shall continue to encourage a diversification of housing types, including single-family and multi-family renter and owner-occupied units for all income levels. The City's target is a balance of units and occupants similar to the general demographics of Broward County as a whole, with at least 25 new dwelling units for very low or low income households by 2015 and one-fifth (20 percent) of new dwelling units for very low, low and moderate income households throughout the City, and predominately in the CRA, through 2030.

Policy 3.2.2 The City shall continue to coordinate with the Broward County Housing Finance Agency relating to Watts Estates to encourage its development and to obtain the necessary development orders/permits to allow for the construction of dwelling units affordable to lower income households.

Policy 3.2.7 The City shall retain its bonus density program for affordable units allocated to the City through the Broward County Land Use Plan. The program will be in accordance with the Broward County Planning Council's Administrative Rules Document, and bonus units may be granted for parcels with Commercial future land use map designations and in areas identified in the land development regulations.

Policy 3.2.8 The provision of affordable/workforce housing is a regional issue and the City shall continue to participate in Broward County programs and committees designed to study, plan for and implement housing solutions.

The School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT

REVISED
9-20-18

LAND USE
SBBC-2209-2017
County No: PC 19-2
Oak Tree

RECEIVED
09/20/18

September 13, 2018



Growth Management
Facility Planning and Real Estate Department
600 SE 3rd Avenue, 8th Floor
Fort Lauderdale, Florida 33301
Tel: (754) 321-2177 Fax: (754) 321-2179
www.browardschools.com

ATTACHMENT 9

SCHOOL CONSISTENCY REVIEW REPORT - LAND USE

PROJECT INFORMATION	IMPACT OF PROPOSED CHANGE	PROPERTY INFORMATION
Date: September 13, 2018	Units Permitted: 0 Units Proposed: 405	Existing Land Use: Open Space/Recreation
Name: Oak Tree	NET CHANGE (UNITS): 405	Proposed Land Use: Irregular (2.88)
SBBC Project Number: SBBC-2209-2017	Students Permitted Proposed NET CHANGE	Current Zoning: OS - Open Space
County Project Number: PC 19-2	Elem 0 94 94	Proposed Zoning: PUD
Municipality Project Number:	Mid 0 45 45	Section: 17
Owner/Developer: Blackshore Partners LLC	High 0 49 49	Township: 49
Jurisdiction: Oakland Park	Total 0 188 188	Range: 42

SHORT RANGE - 5-YEAR IMPACT

Currently Assigned Schools	Gross Capacity	LOS Capacity	Benchmark* Enrollment	Over/Under LOS	Classroom Equivalent Needed to Meet LOS	% of Gross Capacity
Oriole Elementary	758	758	656	-102	-5	86.5%
Lauderdale Lakes Middle	1,243	1,243	885	-358	-16	71.2%
Anderson, Boyd H. High	2,829	2,829	1,820	-1,009	-40	64.3%

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% Gross Capacity Adjusted Benchmark	Projected Enrollment				
				18/19	19/20	20/21	21/22	22/23
Oriole Elementary	656	-102	86.5%	628	624	620	616	612
Lauderdale Lakes Middle	887	-356	71.4%	862	846	829	813	796
Anderson, Boyd H. High	1,840	-989	65.0%	1,851	1,855	1,860	1,865	1,869

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

*The first Monday following Labor Day
 INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

LONG RANGE - TEN-YEAR IMPACT

Impacted Planning Area	School District's Planning Area Data			Aggregate Projected Enrollment				
	Aggregate School Capacity	Aggregate Enrollment	Aggregate Over/(Under) Enrollment	22/23	23/24	24/25	25/26	26/27
Area C - Elementary	19,075	16,109	-2,966	14,960	15,150	15,340	15,530	15,720
Area C - Middle	10,228	8,315	-1,913	7,874	7,971	8,067	8,164	8,260
Area C - High	11,171	8,254	-2,917	7,121	7,110	7,100	7,089	7,079

CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2017-18 Contract Permanent Capacity	2017-18 Benchmark* Enrollment	Over/(Under)	Projected Enrollment		
				18/19	19/20	20/21
Academic Solutions Academy - A	500	143	-357	143	143	143
Central Charter School	1,293	1,175	-118	1,175	1,175	1,175
Somerset Village Academy	750	257	-493	257	257	257
Somerset Village Academy Middle	750	140	-610	140	140	140
Suned High	550	287	-263	287	287	287

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark school enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

*The first Monday following Labor Day
 INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

**PLANNED AND FUNDED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN
(Years 1 - 5)**

School(s)	Description of Capacity Additions
Oriole Elementary	There are no capacity additions scheduled in the Adopted District Educational Facilities plan that will modify the reflected FISH capacity of the school.
Lauderdale Lakes Middle	There are no capacity additions scheduled in the Adopted District Educational Facilities plan that will modify the reflected FISH capacity of the school.
Anderson, Boyd H. High	There are no capacity additions scheduled in the Adopted District Educational Facilities plan that will increase the reflected FISH capacity of the school.

**PLANNED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN
(Years 6 - 10)**

Capacity Additions for Planning Area C	
School Level	Comments
Elementary	None
Middle	None
High	None

*The first Monday following Labor Day
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

Comments

Information contained in the application indicates that the approximately 140-acre site is generally located west of NW 21st Avenue between NW 44th Street and West Commercial Boulevard in the City of Oakland Park. The current land use designation for the site is Open Space and Recreation. Current designation allows no residential units. The applicant proposes to change the land use designation to Irregular (2.88) Residential to allow 405 single family (all four or more bedroom) units. The land use change as proposed is anticipated to generate 188 additional students (94 elementary, 45 middle, and 49 high) into Broward County Public Schools.

A portion of the site (approximately 5-acre) located at the southeast corner of Golfview Drive and West Prospect Road is part of Land Use Plan Amendment (LUPA) PC 04-22 which is subject to a Declaration of Restrictive Covenants (DRC). The DRC (Instr # 105535247, BK 40917, Pages 1604-1614) requires mitigation for the impact of the proposed 30 townhouse units approved under PC 04-22.

Please be advised that this application was reviewed utilizing 2017-18 school year data because the current school year (2018-19) data will not be available until updates are made utilizing the Benchmark Day Enrollment Count.

This application was reviewed based on its location in the School District's Long Range Seven Planning Areas, and Ten-Year Long Range Plan contained in the Adopted District Educational Facilities Plan (DEFP). However, the statistical data regarding the Level of Service (LOS) standard status of the actual schools impacted by this land use application in the initial five years of the ten-year period is depicted herein for informational purposes only.

Schools serving the amendment site in the 2017-18 school year are Oriole Elementary, Lauderdale Lakes Middle, and Boyd Anderson High. Based on the District's Public School Concurrency Planning Document, all schools are operating below the adopted LOS of 100% of gross capacities in the 2017-18 school year. Incorporating the cumulative students anticipated from approved and vested developments anticipated to be built within the next three years (2017-18 – 2019-20), all schools are expected to operate below the adopted LOS of 100% of gross capacities through the 2019-20 school year. It should be noted that the school capacity or Florida Inventory of School Houses (FISH) for the impacted schools reflects compliance with the class size constitutional amendment and the permanent capacity additions that are planned for the schools within the first three years of the Five-Year Adopted DEFP, FY 2017-18 – 2021-22. Also, to ensure maximum utilization of the impacted Concurrency Service Areas, the Board may utilize other options such as school boundary changes to accommodate students generated from developments in the County. Charter schools located within a two-mile radius of the subject site in the 2017-18 school year are depicted above.

Capital Improvements scheduled in the long-range section (2022-23 to 2026-27) of the currently Adopted DEFP Fiscal Years 2017-18 – 2021-22 regarding pertinent impacted schools are depicted above. Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "C" and the elementary, middle, and high schools currently serving Planning Area "C" and their cumulative student enrollments, cumulative capacities, and pertinent student enrollment projections are depicted herein. Therefore, Planning Area "C" is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Areas.

Please note that the applicant should be advised to work with the School Board to address the mitigation agreement related to the previously approved LUPA PC 04-22.

Please be advised that if approved, the units from this project will be subject to a public school concurrency review at the plat, site plan (or functional equivalent) phase of development review, whichever comes first.

The School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT
PROJECT NUMBER: SBBC-2209-2017

September 13, 2018

Date

Reviewed By:



Signature

Mohammed Rasheduzzaman, AICP

Name

Planner

Title

Revised 10/17/05

Return to: (enclose self-addressed stamped envelope)

Name: Leigh R. Kerr, President
Leigh Robinson Kerr & Associates, Inc.
Address: 808 East Las Olas Boulevard #104
Fort Lauderdale, FL 33301

This Instrument Prepared by: Leigh R. Kerr, AICP
Leigh Robinson Kerr & Associates, Inc.
808 E. Las Olas Blvd. #104
Ft. Lauderdale, FL 33301

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

AMENDED DECLARATION OF RESTRICTIVE COVENANTS

This Declaration of Restrictive Covenants ("Declaration") related to Broward County Public Schools student impacts is executed this 15 day of November, 2005 by **GOLF-TAM, INC.**, a Florida corporation, its successors and assigns ("Owner"), whose address is 2400 W. Prospect Rd, Oakland Park, FL 33309, shall be for the benefit of **BROWARD COUNTY**, a political subdivision of the State of Florida, with a post office address at 115 South Andrews Avenue Fort Lauderdale FL 33301, ("County") and **THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA**, with a post office address of 600 Southeast 3rd Avenue, Fort Lauderdale, FL 33301 ("School Board").

WHEREAS, Owner is the fee simple owner of approximately 5 gross acres of land generally located at 2400 West Prospect Road, in the City of Oakland Park, Florida, in Broward County, more particularly described in the attached Exhibit "A" ("Property"); and

WHEREAS, ten (10) single family units are currently permitted on the Property pursuant to the existing Low (5) Residential and Park and Recreation land use designation which generates two (2) elementary, one (1) middle and one (1) high school student; and

WHEREAS, Owner has submitted Land Use Plan Amendment Application PC 04-22, ("Application") for the Property, to change the Property's designation from Low (5) Residential and Park and Recreation to Low Medium 10 Residential permitting an additional 20 residential units for a total of 30 townhouse units which are anticipated to generate eight (8) students consisting of four (4) elementary, two (2) middle and two (2) high school students or 4 additional students consisting of 2 elementary, 1 middle and 1 high school student; and

WHEREAS, in connection with the Application, Owner has voluntarily agreed to enter into this Declaration regarding the mitigation of student impacts for the four (4) additional students which is the number of students anticipated to be generated by the future development of the additional twenty (20) residential units proposed for the development of the Property consistent with the Public School Facility Impact Statement Report dated August 19, 2004, a copy of which is attached hereto as Exhibit "B", associated with the proposed development on the Property; and

WHEREAS, in furtherance of Owner's voluntary agreement regarding mitigation of the aforescribed student impacts, Owner caused to be filed that certain Declaration of Restrictive Covenants dated August 30, 2005, and recorded in the Public Records of Broward County, Florida on



Revised 10/17/05

September 7, 2005 in O.R. Book 40448, Page 864 (the "Declaration") in favor of the County and the Board; and

WHEREAS, the Owner acknowledges that the Declaration was mistakenly recorded and desires to reaffirm and ratify the covenants contained in the Declaration by this Amended Declaration; and

WHEREAS, the School Board has agreed with the voluntary student mitigation plan outlined herein, and has requested the execution and recordation of this Declaration;

NOW, THEREFORE, the undersigned agree and covenant to the following:

1. The above recitals are true and correct and are incorporated herein.
2. Prior to the issuance of Department of Planning and Environmental Protection construction approval for the Property, Owner shall make payment to the County for the applicable school impact fees due based on Broward County Ordinance No. 97-40 for the 10 single family residential units currently permitted on the Property pursuant to the existing Low (5) Residential and Park and Recreation land use designation.
3. Prior to environmental review approval of construction plans as set forth within Chapter 27, Broward County Code of Ordinances, by the Development Management Division for the first building permit for construction or erection of the first residential unit, Owner shall make one lump sum payment to the School Board for the State of Florida established Student Station Cost Factors for the four (4) additional students consisting of two (2) elementary, one (1) middle and one (1) high school student generated by the additional 20 residential units. The total payment amount due shall be determined at the time of payment and based upon the then applicable State of Florida established Student Station Cost Factors schedule; however, the total mitigation payment shall be no less than \$64,779.00. Owner shall obtain proof of such payment from the School Board and provide same to the Broward County Development Management Division. The School Board has issued a letter dated August 19, 2004, a copy of which is attached hereto as Exhibit "C", stating its concurrence with the payment of the fees referenced herein as mitigation for the students generated by the Application.

Said payment shall mitigate towards the cost of providing student stations for the total number of students anticipated from the Property and created as a result of the approval of Broward County Land Use Plan Amendment PC 04-22. This voluntary commitment constitutes the totality of all obligations to pay school impact fees and mitigation fees subject to the provisions set forth within Paragraph 2 and 3 above.

4. Once the mitigation payment has been made, no additional school impact fees will be required of Owner upon payment of the amount referenced in Paragraphs 2 and 3 above for the development referenced above. In the event that the total number of residential units change from what is represented in the Application and there is an increase in the number of residential units or unit type(s) changes from what is represented in the Application and there is an increase in the number of residential units and/or bedroom mix, Owner agrees to provide written notification to the Executive Director, Facility Management, Planning and Site Acquisition of the School Board or designee, with a copy to the Broward County Development Management Division. The Executive Director, or designee, shall determine the additional students anticipated from any increase in residential units beyond the 30 total units contemplated herein and notify Owner and the County of any further increase in the number of anticipated students. Owner shall then propose additional mitigation for the newly anticipated additional students subject to the terms and provisions contained in the adopted School Board Growth Management

Revised 10/17/05

Policy. Any such additional mitigation amount shall be paid, in full, to the School Board no later than the date in which Owner obtains the first building permit for such residential units and shall be a condition of the School Board's delivery of any partial release of this Declaration of Restrictive Covenants for the subject unit. In the event that changes in the overall mix of residential units and/or mix of bedrooms result in a net reduction in the amount of units, no refund of any portion of the school impact and/or mitigation fees shall be due and owing to Owner by the County or the School Board.

5. Upon Owner obtaining a final certificate of occupancy for any given residential unit, a copy of same shall be promptly delivered to Executive Director, Facility Management, Planning and Site Acquisition of the School Board and the Broward County Development Management Division, or their designees. Upon receipt of any such final certificate of occupancy and confirmation that the amount of bedrooms in the subject residential unit has not been increased, the School Board and County shall promptly deliver to Owner, in recordable form, a release of this Declaration of Restrictive Covenants.

6. If any court of competent jurisdiction shall declare any section, paragraph or part thereof invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph or part hereof, and the same shall remain in full force and effect.

7. The County and the School Board are the beneficiaries of these restrictive covenants and as such, both or either may enforce these restrictive covenants by action at law or in equity against any person or persons, entity or entities, violating or attempting to violate the terms of these Restrictions. Any failure of either the County or the School Board to enforce these restrictive covenants shall not be deemed a waiver of the right to do so thereafter.

8. This Declaration shall be recorded in the Public Records of Broward County, Florida, and the provisions hereof shall constitute a covenant running with the land and shall remain in full force and effect and binding upon the undersigned, its heirs, legal representatives, estate successors, grantees and assigns until released as provided for herein.

9. This Declaration constitutes the entire agreement, with regard to the subject matter contained herein, and may only be amended, modified or released with the consent of the parties.

10. The undersigned hereto expressly covenants and represents that he/she has the authority to enter into this Agreement and so bind all general partners and affiliated partnerships.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed this 15 day of November, 2005.

Signed, sealed and delivered in the presence of:

WITNESSES:

[Signature]
Print Name: Kelly Ray
[Signature]
Print Name: Leigh E. Keer

GOLF-TAM, INC.

a Florida corporation

By: [Signature]
Print Name: BARRETT J. BROAD
Title: SEC/TREAS.
Address: 2400 W PROSPECT
FT. LAUD., FL. 33309

Revised 10/17/05

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 15 day of November, 2005, by B. Broad, as Sec/Treas of GOLF-TAM, INC., a Florida corporation, freely and voluntarily on behalf of said Corporation. He/She is personally known to me or has produced DL as identification.



Kelly A. Ray
Commission #DD258921
Expires: Oct 15, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

KAR

Notary Public, State of Florida
My Commission Expires: 10/15/2007

Declaration-PC04-22(fnl2)
October 17, 2005

Revised 10/17/05

MORTGAGEE
JOINER AND CONSENT
[IF APPLICABLE]

N/A

[BANK NAME], having an address of _____, said bank being the owner and holder of a Mortgage and Security Agreement given by [REFERENCE NAME] [DATE OF INSTRUMENT] and recorded on [DATE] in Official Records Book _____, Page _____ of the Public Records of Broward County, Florida, does hereby join and consent to this Declaration of Restrictive Covenants (the "Declaration").

IN WITNESS WHEREOF, the undersigned, has caused these presents t be executed in its name this ____ day of _____, 2005.

Signed, sealed and delivered
in the presence of:

WITNESSES:

[BANK NAME] _____
a _____

Print Name: _____

By: _____

Print Name: _____

Title: _____

Address: _____

Print Name: _____

STATE OF _____)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2005, by _____, as _____ of _____, on behalf of said Bank. He/She is personally known to me or has produced _____ as identification.

Notary Public, State of Florida
My Commission Expires: _____

Revised 10/17/05

EXHIBIT LIST

EXHIBIT "A"

PROPERTY LEGAL DESCRIPTION
(TOGETHER WITH A PROPERTY SKETCH)

EXHIBIT "B"

PUBLIC SCHOOL FACILITY IMPACT STATEMENT REPORT

EXHIBIT "C"

SCHOOL BOARD LETTER OF CONCURRENCE

SKETCH AND DESCRIPTION

EXHIBIT A

PORTION OF
SECTION 17, TOWNSHIP 49 SOUTH, RANGE 42 EAST

1 of 2

LAND DESCRIPTION:

A parcel of land lying in Section 17, Township 49 South, Range 42 East, being more particularly described as follows:

COMMENCE at the Northeast corner of the Northwest One-Quarter (NW 1/4) of the Southeast One-Quarter (SE 1/4) of said Section 17; thence S88°01'31"W, 100.00 feet; thence S01°40'16"E, along the west line of Prospect Road, 441.16 feet to a point of curvature of a curve concave to the East, having a radius of 1246.28 feet and a central angle of 12°07'37"; thence southerly an arc distance of 263.78 feet to the POINT OF BEGINNING; thence continue along said arc, having a radius of 1246.28 feet and a central of 12°36'46"; thence southerly an arc distance of 274.35 feet; thence S88°21'04"W, 857.71 feet; thence N57°50'54"W, 100.00 feet; thence N32°09'06"E, 98.57 feet to a point of curvature of a curve concave to the northwest, having a radius of 100.00 feet and a central angle of 33°56'25"; thence northerly an arc distance of 59.24 feet to a point of tangency; thence N01°47'19"W, 39.39 feet to a point of curvature of a curve concave to the southeast, having a radius of 25.00 feet and a central angle of 90°00'00"; thence northerly an arc distance of 39.27 feet to a point of tangency; the preceding five courses and distances being along a private road and Lot 1, as shown on the the plat of GOLF-TAM VILLAGE, as recorded at Plat Book 119, Page 18 of the Public Records of Broward County, Florida; thence N88°12'41"E, 757.56 feet to the POINT OF BEGINNING.

Said lands lying and situate in Broward County, Florida, containing 217,812 square feet, (5.0003 acres) more or less.

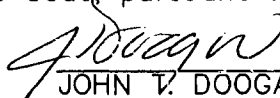
NOTES:

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the surveyor.
4. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
5. No underground improvements were located.
6. Bearings shown hereon are relative to the north line of the N.W. 1/4, S.E. 1/4, of Section 17, Township 49 South, Range 42 East having a bearing of S88°01'31"W.
7. Abbreviation Legend: L = Arc Length; L.B.= Licensed Business; P.B.= Plat Book; B.C.R.= Broward County Records; PG.= Page; P.L.S.= Professional Land Surveyor; P.O.B.= Point of Beginning; P.O.C.= Point of Commencement; R = Radius; Δ= Central Angle.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 5/10/04



 JOHN T. DOOGAN, P.L.S.
 Florida Registration No. 4409
 AVIROM & ASSOCIATES, INC.
 L.B. No. 3300

SKETCH NOT VALID WITHOUT SHEET 1 & 2

REVISIONS		AVIROM & ASSOCIATES, INC.	JOB NO.7428
		SURVEYING & MAPPING	SCALE: 1" = 150'
		50 S.W. 2ND AVENUE, SUITE 102	DATE: 05/05/04
		BOCA RATON, FLORIDA 33432	DRAWN BY: C.L.P.
		TEL. (561) 392-2594, FAX (561) 394-7125	SHEET: 1 OF: 2
	<small>© 2004 AVIROM & ASSOCIATES, INC. ALL RIGHTS RESERVED.</small>		

SKETCH AND DESCRIPTION
 PORTION OF
 SECTION 17, TOWNSHIP 49 SOUTH, RANGE 42 EAST

EXHIBIT A
 2 of 2

NORTH

 SCALE: 1"=150'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	59.24	100.00	33°56'25"
C2	39.27	25.00	90°00'00"

LINE TABLE		
LINE	LENGTH	BEARING
L1	98.57	N32°09'06"E
L2	39.39	N01°47'19"W

NORTH LINE OF THE
 N.E. 1/4, S.E. 1/4, SECTION 17

S88°01'31"W
 100.00'

WEST LINE
 S01°40'16"E
 441.16'

P.O.C.
 N.E. CORNER
 N.W. 1/4, S.E. 1/4
 SECTION 17-49-42

PROSPECT ROAD

$\Delta=12°07'37"$
 $R=1246.28'$
 $L=263.78'$

30' ROADWAY EASEMENT
 (O.R.B. 9529, PG. 156, B.C.R.)

N88°12'41"E 757.56'

P.O.B.

217,812 SQUARE FEET
 5.0003 ACRES

$\Delta=12°36'46"$
 $R=1246.28'$
 $L=274.35'$

S88°21'04"W 857.71'

N57°50'54"W
 100.00'



SKETCH NOT VALID WITHOUT SHEET 1 & 2

REVISIONS



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
 60 S.W. 2ND AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33432
 TEL. (561) 392-2594, FAX (561) 394-7125
 ©2004 AVIROM & ASSOCIATES, INC. ALL RIGHTS RESERVED.

JOB NO.7428
SCALE: 1" = 150'
DATE: 05/05/04
DRAWN BY: C.L.P.
SHEET: 2 OF: 2

The Nation's Largest Fully  Accredited School System EXHIBIT B

Facility Management, Planning & Site Acquisition Department
 600 S.E. 3rd Avenue, 4th Floor
 Fort Lauderdale, Florida 33301

Land Use Plan Amendment Public School Facility Impact Statement

Property Description		SEC 17	TWP 49	RNG 42
Type:	County			
Amendment #:	PC 04-22			
Owner / Developer :	Castillo Grand, LLC			
Jurisdiction :	City of Oakland Park			
Current Land Use:	Low (5) Residential and Park and Recreation (Approx. 5.6 Ac.)			
Proposed Land Use:	Low Medium (10) Residential (Approx. 5.6 Ac.)			

Potential Student Impact*		Additional Impact:		Cummulative Students From LUPA Approved Since:			
Existing Permitted Units:	10	Elementary Students:	4	Since			
Proposed Units:	30	Middle Students:	2				
Net Change :	+20	High Students:	2	Elem	Midd	High	Total
		Total:	8	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

* Note: Calculations are based upon the maximum student generation rates in the Land Development Code.

Currently Assigned Schools*	School Capacity	20th Day* Enrollment	Over/ (Under) Enrolled	Projected Enrollment**				
				04/05	05/06	06/07	07/08	08/09
Oriole Elementary	709	827	118	842	879	893	886	881
Lauderdale Lakes Middle	927	1,012	85	983	954	967	970	1,022
Anderson, Boyd H. High	2,773	2,691	-82	2,874	2,931	3,055	3,078	3,013

COMMENTS: Broward County Public Schools staff is advising the Broward County Planning Council, Broward County Commissioners, the applicant(s)/owner(s) and/or future developer(s) of the amendment site that that based on the School District's 2003/04 Twentieth Day Membership Counts Report, Oriole Elementary and Lauderdale Lakes Middle Schools were overcrowded in the 2003/04 school year. The same schools are scheduled to serve the area of the site in the 2004/05 school year. Indications are that the current land use designation for the site permits the development of 10 single family units, which generates two elementary, one middle and one high school student for a total of four students. This application was reviewed as a potential 30 three or more bedrooms townhouse units development, and as currently proposed, is anticipated to generate a total of eight (four additional) students into Broward County Public Schools which will exacerbate overcrowded conditions at the impacted schools. This application is subject to the provisions of Section 7.8 of the Interlocal Agreement for Public School Facility Planning which calls for the mitigation of students generated by proposed residential density increase. However, the applicant has voluntarily committed to pay in one lump sum, the applicable cost per student station amount as mitigation towards the cost of providing student stations for the anticipated students. Staff concurs with the voluntary commitment (see attached correspondence). The applicant/owner is advised that temporarily, the School Board utilizes other options such as portable classrooms, multi-track year round education, double sessions or boundary changes to accommodate students generated from developments in the County. Information for charter schools located within a two-mile radius of the site was provided in a previous correspondence.

* Note: 2003/04 School Year Data - School attendance areas are subject to change each year.
 ** Adjusted Cohort projections - Cohort Survival Model, School Boundaries Department.

Planned and Funded Improvements in the Currently Adopted District Educational Facilities Plan

Elementary Schools: None
 Middle Schools: None
 High Schools: Boyd Anderson: Remolding of old kitchen/cafeteria to three classrooms. Bulk funding slated for FY 2005/06.
 Comments:

Date: August 19, 2004


 By: Facility Management, Planning & Site Acquisition Department

08/19/2004 11:18 FAX

002/004

EXHIBIT C

1 of 2

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
 600 Southeast Third Avenue • 14th FL. FT. LAUDERDALE, FLORIDA 33301 • TEL 754-321-2161 • FAX 754-321-2179

THOMAS J. COATES, Executive Director
 Facility Management, Planning & Site Acquisition
 tom.coates@browardschools.com

SCHOOL BOARD

Chair CAROLE L. ANDREWS
Vice Chair STEPHANIE ARMA KRAFT, ESQ.
 JUDIE S. BUDNICK
 DARLA L. CARTER
 BEVERLY A. GALLAGHER
 DR. ROBERT D. PARKS
 MARTY RUBINSTEIN
 LOIS WEXLER
 BENJAMIN J. WILLIAMS

DR. FRANK TILL
Superintendent of Schools

August 19, 2004

Henry Sniezek, Director
 Broward County Planning Council
 115 South Andrews Avenue, Room #307
 Fort Lauderdale, Florida 33301

Re: Revised Land Use Plan Amendment PC 04-22

Dear Mr. Sniezek:

Attached per the request from your staff, is the revised Public School Facility Impact Statement Report for Land Use Plan Amendment (LUPA) PC 04-22. Recent information provided by your office indicates that the current land use designation for LUPA 04-22 permits the development of 10 single-family units, which generates two elementary, one middle and one high school student for a total of four students. This application was reviewed as a potential 30 three or more bedrooms townhouse units development, and as currently proposed, is anticipated to generate a total of eight (four additional) students into Broward County Public Schools which will exacerbate overcrowded conditions at the impacted schools.

Schools that served the area of the amendment site in the 2003/04 school year were Oriole Elementary, Lauderdale Lakes Middle and Boyd Anderson High Schools. Based on the 2003/04 Twentieth-Day Membership Counts Report, Oriole Elementary and Lauderdale Lakes Middle Schools were overcrowded in the 2003/04 school year. The same schools are scheduled to serve the area of the amendment site in the 2004/05 school year.

In the currently adopted District Educational Facilities Plan, Fiscal Years (FY) 2004/05 to 2008/09, the old kitchen/cafeteria area of Boyd Anderson High School is scheduled for remodeling to create three classrooms. However, the bulk of the funding for the project is slated for FY 2005/06.

Charter schools located within a two-mile radius of the amendment site in the 2003/04 school year, and the Twentieth Day statistical data for the schools was provided in the correspondence dated July 19, 2004. The same charter schools with the inclusion of Charter Institute Annex (K-5), Eagle Academy (6) and Smart School Institute (9) are scheduled to serve the area of the site in the 2004/05 school year. However, North Broward Academy of Excellence (K-5) and North Lauderdale Academy (9-12) are not anticipated to serve the site in the 2004/05 school year.

This application is subject to the provisions of Section 7.8 of the Interlocal Agreement for Public School Facility Planning, which calls for the mitigation of students generated by proposed residential density

Transforming Education: One Student at A Time
Broward County Public Schools Is An Equal Opportunity/Equal Access Employer

08/19/2004 11:18 FAX

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EXHIBIT C

2 of 2

Revised Land Use Plan Amendment PC 04-22

August 19, 2004

Page 2

increase. However, the applicant has voluntarily committed to pay in one lump sum (see attached correspondence from John McDonald), the applicable cost per student station amount as mitigation towards the cost of providing student stations for the anticipated students. This payment will be made prior to obtaining the Department of Planning and Environmental Protection (DPEP) approval for the first building permit for the units. Staff concurs with the voluntary commitment, and agrees that the commitment will satisfactorily contribute towards the provision of student stations for the anticipated students. Furthermore, staff requests that as a condition for approval of LUPA PC 04-22, and prior to the land use plan amendment becoming effective, the applicant or property owner must execute a Declaration of Restrictive Covenant that at the minimum addresses the following:

1. The voluntary commitment cited above.
2. That the cited voluntary commitment must run with the property until the obligation is deemed fulfilled.
3. That the full payment of the applicable cost per student station amount will be made directly to the School Board of Broward County, Florida when due.

Correspondence containing this payment should be addressed to my attention at the above stated address. Additionally, the Declaration of Restrictive Covenant must be submitted to District staff for review and deemed recordable by Broward County before execution and recordation, and an executed copy of the Restrictive Covenant shall be provided to Broward County School District.

As you are aware, the recent class size constitutional amendment requires that by the year 2010, the maximum number of students in the following school grades must be: Pre-kindergarten through 3rd grade - 18 students, 4th through 8th grade - 22 students, and 9th through 12th grade - 25 students. Therefore, it should be noted that the permanent school capacity for the impacted schools dropped significantly due to compliance with the class size constitutional amendment, and will continue to decrease until final compliance with the mandate.

Thank you for your continued cooperation and support on land use plan amendment matters pertaining to Broward County Public Schools. If you have questions or need further information, please contact me at chris.akagbosu@browardschools.com or at 754-321-2162.

Sincerely,



Chris Akagbosu, Coordinator
Growth Management Division
Facility Management, Planning & Site
Acquisition Department

COA:coa

Attachment

cc: Thomas J. Coates, Executive Director, Facility Management, Planning & Site Acquisition Department
Thomas Moore, Demographer/Statistician, School Boundaries Department

Transforming Education: One Student at A Time
Broward County Public Schools Is An Equal Opportunity/Equal Access Employer

ATTACHMENT 10

Greenspoon Marder LLP

Dennis D. Mele, Partner
PNC Building
200 East Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Direct Phone: 954.527.2409
Direct Fax: 954.333.4009
Email: dennis.mele@gmlaw.com

November 1, 2018

VIA E-MAIL

Barbara Blake Boy
Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301



Re: Oak Tree Land Use Plan Amendment

Dear Barbara:

We have reviewed the comments provided by the School Board of Broward County ("School Board") concerning the above land use plan amendment. We acknowledge the existing school agreement that was entered into as a result of a prior land use plan amendment on a portion of the Oak Tree property. There were no dwelling units constructed under that agreement. We will work with the School Board staff to determine the most appropriate course of action regarding this agreement.

Sincerely,

GREENSPOON MARDER LLP

A handwritten signature in black ink, appearing to read "Dennis D. Mele".

Dennis D. Mele, Esq.

Boca Raton Denver Ft. Lauderdale Iselin Las Vegas Los Angeles Miami Miami Beach Naples
Nevada City New York Orlando Phoenix Portland San Diego Tallahassee Tampa West Palm Beach

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ATTACHMENT 11

EP&GMD COMMENTS
PC 19-2
Page 1

ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT REVIEW AND COMMENTS ON PROPOSED BROWARD COUNTY LAND USE PLAN MAP AMENDMENT

For: Broward County Planning Council

Applicant: Pulte Group



Amendment No.: PC 19 – 2

Jurisdiction: Oakland Park **Size:** Approximately 140.7 acres

Existing Use: Former Golf Course

Current Land Use Designation: 132.7 acres of Recreation and Open Space
6.0 acres of Low-Medium (10) Residential
2.0 acres of Low (5) Residential

Proposed Land Use Designation: Irregular (2.88) Residential

Location: **Section:** 17 Township: 49 South Range 42 East; generally located on the west side of Northwest 21 Avenue, between commercial Boulevard and Northwest 44 Street.

Note: Findings and Recommendations do not constitute waivers from any federal, state or local law.

ANALYSIS AND FINDINGS:

ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION

Wetlands - [CP Policies 7.5.9, 7.5.11, 13.8.1, 13.8.2, 13.8.3, 13.8.5, 13.8.6, 13.9.3, 13.9.4, 13.9.6, 13.10.1, 13.10.3, 13.10.4; BCLUP Policies 2.22.01, 2.22.2]

Review of GIS LIDAR information indicates wetlands may be present on this site. Any work in, on, over or under wetlands or surface waters, including filling and/or excavating, will required an Environmental Resource License.

EP&GMD COMMENTS

PC 19-2

Page 2

Upland Resources (including Tree Preservation and Greenways) - [CP Policies 13.6.11, 13.6.13, 13.6.14; BCLUP Policies 2.20.17]

Review of aerial photographs indicates that the subject site contains mature tree canopy. Development of the site must comply with the tree preservation regulations of the City of Oakland Park. The applicant is required to minimize the number of trees to be removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use plan amendment is not expected to have a negative impact on upland resources.

Air Quality - [CP Policy 13.1.15, BCLUP Policy 2.25.1] The preliminary traffic analysis indicates that the proposed amendment would result in an increase by **321 PM peak hour trips** per day compared to trips associated with the current designation. Based upon the trips generated and the projected levels of service on surrounding roadways, an amendment to the proposed land use designation can reasonably be assumed to have a **moderate impact** on air quality. There are no facilities in the area with existing or potential odor or noise problems. Due to the attraction of mobile sources to commercial areas, if the applicant incurs the construction of parking facilities, the Broward County Code of Ordinances, Parking Facility Rule might be applicable.

The Air Quality Program recommends pro-active long-term planning methods that will result in the prevention of any further deterioration of our air quality and quality of life. The Air Quality Program recommends that the plan for development includes air quality measures or provisions that will support alternative methods of transportation. These measures include promoting the use of transit, promoting the use of ridesharing, promoting the use of alternative fuel vehicles (AFV) where appropriate and AFV infrastructure, bikeways and bike storage facilities, and the use of pedestrian friendly designs which will include native tree shaded areas. *(JG 08/29/2018)*

Contaminated Sites - [CP Policies 13.2.1, 13.2.6, 13.2.7; BCLUP Policies] The list of known contaminated sites (from EPGMD's GIS Database of Contaminated Locations in Broward County) has been reviewed. **Seven** listed contaminated sites were found on or adjacent to the proposed amendment location. See attached map and databased for further information as it relates to the land use amendment site. *(JG 08/29/2018)*

Solid Waste - [CP Policies 6.1.2, 6.1.3, 13.2.7; BCLUP Policies 3.4.2, 3.4.3, 2.11.8] There **are no** active solid waste facilities located within one mile of the amendment site. There **are no** inactive solid waste facilities located within one mile of the site. See map in the attached documentation. *JG (08/29/2018)*

ENVIRONMENTAL AND CONSUMER PROTECTION DIVISION

Wellfield Protection - [CP Policies 4.2.10, 4.4.13, 7.5.2, 7.5.3, 7.5.4, 13.2.2, 13.3.3; BCLUP Policies 2.26.2, 2.26.3, 2.11.5] The proposed amendment site is not currently within a wellfield zone of influence. No special restrictions apply under Broward County's Wellfield Protection regulations.

SARA TITLE III (Community Right to Know) - [CP Policy 13.2.7; BCLUP Policies] Database of SARA Title III Facilities in Broward County indicates there are two (2) SARA Title III facility(s) on or adjacent to the proposed amendment site.

Hazardous Material Facilities - [CP Policies 13.2.1, 13.2.6, 13.2.7; BCLUP Policies] GIS Database of Hazardous Material Facilities in Broward County indicates 5 active Hazardous Material facility(s), 4 Storage Tank facility(s) and 3 Hazardous Materials/Storage Tank facility(s) on, adjacent, or in close proximity (.25m miles) to the proposed amendment site.

ENVIRONMENTAL PLANNING & COMMUNITY RESILIENCE DIVISION:

Specially Designated Areas - [CP policies 13.6.1, 13.6.4, 13.6.6, 13.6.7, 13.6.9, 13.6.10, 13.7.2, 13.7.5; BCLUP Policies 2.23.1, 2.23.2, 2.23.3, 3.3.9, 3.3.10]

County specially designated areas, e.g. Natural Resource Areas, Native Vegetative Communities Category Local Areas of Particular Concern, Urban Wilderness Inventory sites, do not exist within the boundaries of the proposed amendment site

Protected Natural Lands – The project site is not included in the Protected Natural Lands Inventory and not adjacent to a site in the inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. The Inventory provides information regarding the ownership and management for each of the Protected Natural Lands and may be accessed at:

<http://www.broward.org/NaturalResources/LandStewardship/Pages/NaturalLands.aspx>

Marine and Riverine Resources - [CP Policies 7.5.10, 13.2.3, 13.5.3, 13.7.6, 13.7.8; BCLUP Policies 3.3.4, 2.11.6, 2.27.1, 2.27.2, 2.27.3, 2.11.7, 3.3.12, 2.27.4, 2.24.2] The proposed land use designation is not expected to have an impact on marine or riverine resources. Impacts to resources require review and licensing under Article XI of Chapter 27, Broward County Code of Ordinances.

Priority Planning Areas for Sea Level Rise – [CP Policies 19.2.2, 19.3.7, 19.3.12, 19.3.13; BCLUP Policies 2.21.1, 2.21.2, 2.21.3, 2.21.5]

The Priority Planning Areas for Sea Level Rise Map identifies areas that are at increased risk of

EP&GMD COMMENTS

PC 19-2

Page 4

flooding due to, or exacerbated by, sea level rise by the year 2060. In review of land use plan amendments, the County requires the applicant to demonstrate that the project will not increase saltwater intrusion or areawide flooding, not adversely affect groundwater quality or environmentally sensitive lands, and that subsequent development will be served by adequate stormwater management and drainage facilities.

The County also strongly discourages those amendments which would place additional residential and non-residential development at risk of flooding from sea level rise. The County will take into consideration sea level rise and flood protection mitigation strategies and requirements included within the city's local comprehensive plans and/or development regulations, or improvements committed to by the applicant which would mitigate or enhance flood protection and adaptation from rising sea levels.

While the County encourages applicants to consider these and other impacts from climate change during the site planning process, the proposed amendment site does not contain, fall within, or overlap with an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map. Therefore, Policy 2.21.1 and portions of policy 2.21.5 do not apply to the review of this project.

NatureScape Program – [CP Policies 4.4.8, 13.3.5, 13.3.7, 19.4.11; BCLUP 2.20.14] –

NatureScape is about creating Florida-friendly landscapes that conserve water, protect water quality, and create wildlife habitat. Development of the proposed amendment site should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. Information regarding NatureScape can be accessed at:

<http://broward.org/NatureScape/Pages/Default.aspx>

Surface Water Management - [CP Policies 7.4.2, 7.4.3, 7.5.2, 7.5.9, 13.2.4, 13.3.12; BCLUP Policies 2.24.1, 2.24.2, 2.21.5]

The property is within the jurisdiction of Broward County and the South Florida Water Management District. Successful compliance with the criteria established by these entities should result in reducing the potential danger from flooding and maintaining the quality of surface waters.

Tracts within the proposed amendment site are located within the Federal Emergency Management Agency (FEMA) flood insurance zones AE with a NAVD 88 elevation of 5 feet (waterbody on site), and zone AH with a NAVD 88 of 7 and NAVD 88 of 6 feet.

Water Recharge - [CP Policies 7.4.3, 7.5.2, 7.5.3, 7.5.4, 7.5.7, 7.5.9, 7.5.11, 7.5.12, 13.3.12, 13.3.13; BCLUP Policies 2.26.1]

The proposed land use designation would involve a minor percentage of impervious area. The

EP&GMD COMMENTS

PC 19-2

Page 5

development resulting from the proposed land use designation would result in net decrease in the volume of water available for recharge. The change in recharge capacity resulting from development under the proposed designation would be minor.

This impact level is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

See attached Water Recharge Questionnaire.

BROWARD COUNTY PLANNING COUNCIL
WETLAND RESOURCE QUESTIONNAIRE
as completed by the
ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT

I. Introductory Information

A. Amendment No.: PC 19-2

B. Municipality: Oakland Park

C. Project Name: Oak Tree

II. Site Characteristics

A. Size: Approximately 140.7 acres

B. Location: Section: 17 Township: 49 South
Range 42 East; generally located on the west side of
Northwest 21 Avenue, between commercial Boulevard and
Northwest 44 Street.

C. Existing Use: Former Golf Course

III. Broward County Land Use Plan Designation

A. Current Designation: 132.7 acres of Recreation and Open Space
6.0 acres of Low-Medium (10) Residential
2.0 acres of Low (5) Residential

B. Proposed Designation: Irregular (2.88) Residential

IV. Wetland Review

A. Are wetlands present on subject property? Unknown at this time.

B. Describe extent (i.e. percent) of wetlands present on subject property. Unknown at this time.

C. Describe the characteristics and quality of wetlands present on subject property.
Unknown at this time.

D. Is the property under review for an Environmental Resource License? No

E. Has the applicant demonstrated that should the proposed Land Use designation be approved,

Wetland Resource Questionnaire
PC 19-2

the proposed project will be consistent with the requirements of Article XI, Chapter 27 of the Broward County Code of Ordinances? No

V. Comments:

Review of GIS LIDAR information indicates wetlands may be present on this site. Any work in, on, over or under wetlands or surface waters, including filling and/or excavating, will required an Environmental Resource License.

Completed by: Linda Sunderland, NRS
Natural Resources Manager

BROWARD COUNTY PLANNING COUNCIL

WATER RECHARGE QUESTIONNAIRE

as completed by

ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT

I. Introductory Information

- A. *Amendment No.:*** PC 19-2
- B. *Municipality:*** Oakland Park
- C. *Applicant:*** Pulte Group

II. Site Characteristics

- A. *Size:*** Approximately 140.7 acres
- B. *Location:*** **Section:** 17 Township: 49 South Range 42 East; generally located on the west side of Northwest 21 Avenue, between commercial Boulevard and Northwest 44 Street.
- C. *Existing Use:*** Former Golf Course

III. Broward County Land Use Plan Designation

Current Land Use Designation: 132.7 acres of Recreation and Open Space
6.0 acres of Low-Medium (10) Residential
2.0 acres of Low (5) Residential

Proposed Land Use Designation: Irregular (2.88) Residential

IV. Water Recharge Review

- A. *Describe the general impacts of the current land use designation on water recharge:***

The current land use designation is 132.7 acres of Recreation and Open Space
6.0 acres of Low-Medium (10) Residential
2.0 acres of Low (5) Residential

A typical value for an impervious area produced by this type of development is approximately 13 percent.

B. Describe the general impacts of the proposed land use designation on water recharge:

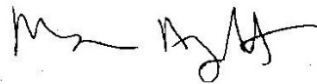
The proposed land use designation is Irregular (2.88) Residential.
A typical value for an impervious area produced by this type of development is approximately 20 percent.

V. Impact of Change in Land Use Designation

The proposed land use designation would involve a minor percentage of impervious area. The development resulting from the proposed land use designation would result in net decrease in the volume of water available for recharge. The change in recharge capacity resulting from development under the proposed designation would be minor.

This impact level is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

VI. Comments



By: _____

Date 9/17/2018

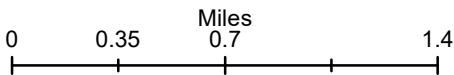
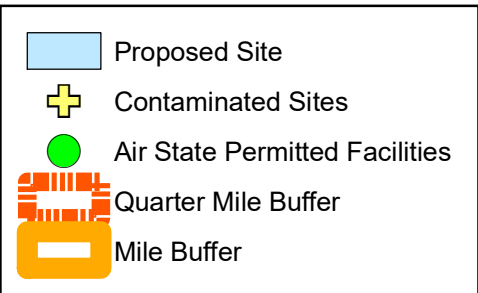
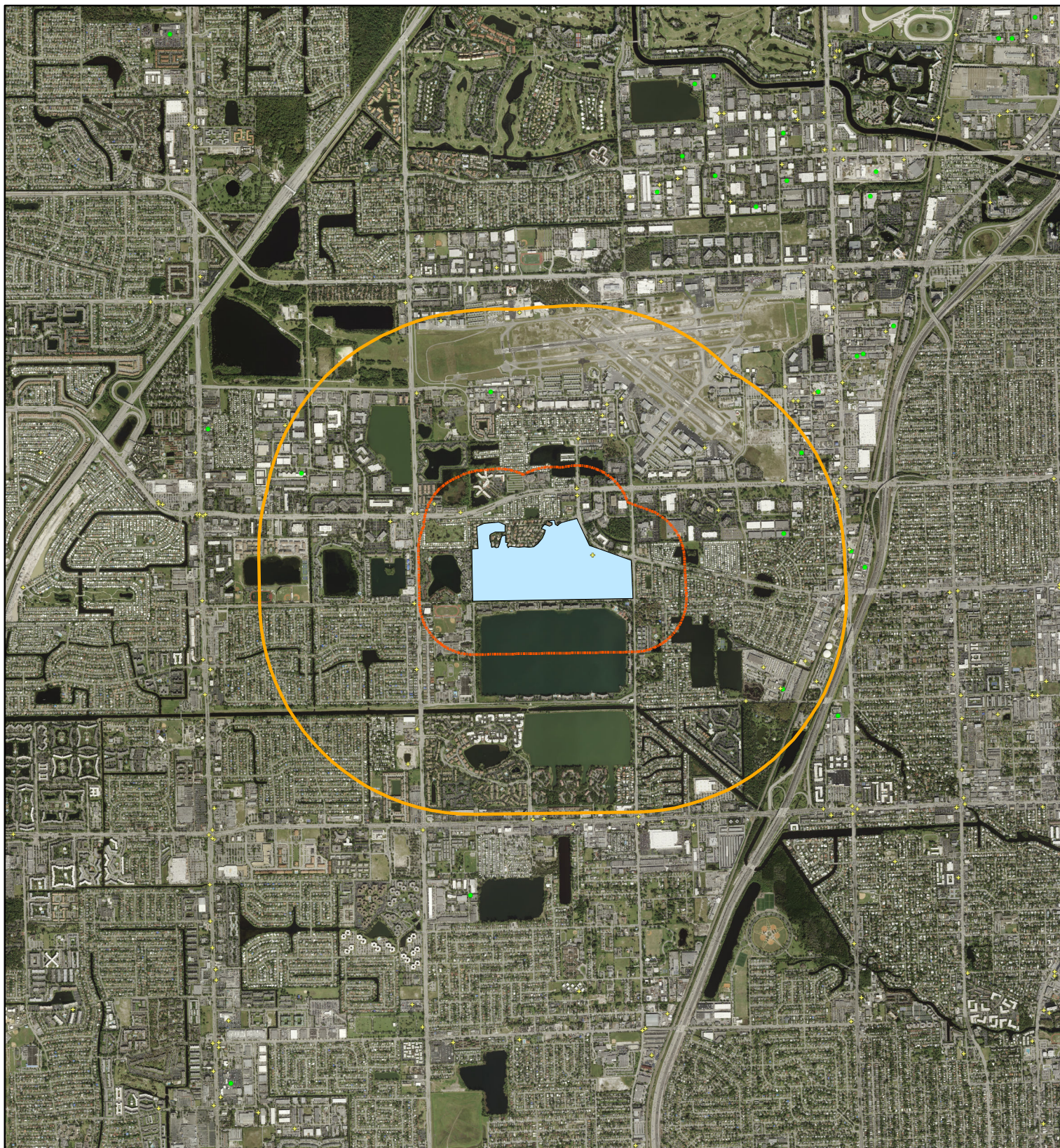
Maena Angelotti

Environmental Planning and Community Resilience Division

Contaminated Sites

Site Number	Facility Name	Street Address	City	Zip Code	Pollutant	Facility Type	DEP Facility Number	Active
NF-1179C	FINA #402-6505-609	2401 W COMMERCIAL BLVD	Tamarac	33309	Gasoline	Gas Station	68625863	N
NF-2067	Crossland Fort Lauderdale	3031 W COMMERCIAL BLVD	Fort Lauderdale	33309	Organic Metals	Office Building	<Null>	Y
NF-3710	CLEANING ZONE	2991 W COMMERCIAL BLVD	Fort Lauderdale	33309	Chlorinated	Dry Cleaner	69502458	N
SF-1231	MOBIL #02-FLW (10738)	2400 W COMMERCIAL BLVD	Fort Lauderdale	33309	Gasoline	Gas Station	68502359	N
NF-2008	Oak Tree Country Club	2400 W PROSPECT RD	Oakland Park	33309	Arsenic	Golf Course	<Null>	Y
SF-1179A	FINA #402-6505-609	2401 W COMMERCIAL BLVD	Tamarac	33309	Gasoline	Gas Station	68625863	N
NF-1179B	FINA #402-6505-609	2401 W COMMERCIAL BLVD	Tamarac	33309	Gasoline	Gas Station	68625863	N

Land Use Amendment Comments Site 19-2



Generated for location purposes only.
Marker Size is a visual aid and neither represents exact location nor area of designated facility.
Prepared by: JGUZMAN - August 2018 - Environmental Engineering and Permitting Division

ATTACHMENT 12

GreenspoonMarder_{LLP}

Dennis D. Mele, Partner
PNC Building
200 East Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Direct Phone: 954.527.2409
Direct Fax: 954.333.4009
Email: dennis.mele@gmlaw.com

November 1, 2018

VIA E-MAIL

Barbara Blake Boy
Executive Director
Broward County Planning Council
115 South Andrews Ave., Suite 307
Fort Lauderdale, FL 33301



Re: Oaktree – Land Use Plan Amendment in Oakland Park, Florida – Amendment PC 19-2

Dear Barbara:

We have reviewed the agency comments concerning the above referenced amendment and would like to provide additional information concerning the environmental permitting related to the subject site. The Applicant will apply for and receive all necessary environmental permits and licenses necessary for a residential development on the property that is the subject of land use plan amendment PC 19-2. The environmental permit applications will be submitted to the following agencies for review and analysis pursuant to their individual rules and regulations:

- State of Florida, Environmental Resource Permit with Surface Water Management Authorization
- Broward County, Environmental Resource License and Surface Water Management License

Thank you for your time and attention to this matter.

Very truly yours,

GREENSPOON MARDER LLP

A handwritten signature in black ink that reads "Dennis D. Mele".

Dennis D. Mele, Esq.

cc: Deanne Von Stetina (via e-mail)
Patrick Gonzalez (via e-mail)
Andrew Maxey (via e-mail)

Boca Raton Denver Ft. Lauderdale Iselin Las Vegas Los Angeles Miami Miami Beach Naples
Nevada City New York Orlando Phoenix Portland San Diego Tallahassee Tampa West Palm Beach

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ATTACHMENT 13

GreenspoonMarder^{LLP}

Dennis D. Mele, Partner
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200 East Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Direct Phone: 954.527.2409
Direct Fax: 954.333.4009
Email: dennis.mele@gmlaw.com

January 7, 2019

VIA E-MAIL

Barbara Blake Boy
Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301



Re: Oak Tree Land Use Plan Amendment

Dear Barbara:

As indicated in the land use plan amendment application submitted on behalf of our client, Pulte Home Company LLC, we can confirm that during the site design phase, the existing trees will be evaluated for size, location and health in an effort to minimize the number of trees removed from the subject property, and that the site design will incorporate as many of the existing trees as feasible. The site plan will also conform to the City's landscape requirements and will provide the necessary open space and landscape materials required by City's code.

In addition, the environmental analysis submitted with the application identified an endangered common wild air plant on the subject property that will be protected on-site.

Sincerely,

GREENSPOON MARDER LLP

A handwritten signature in blue ink that appears to read "Dennis D. Mele".

Dennis D. Mele, Esq.

ATTACHMENT 14

GreenspoonMarder_{LLP}

Dennis D. Mele, Partner
PNC Building
200 East Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Direct Phone: 954.527.2409
Direct Fax: 954.333.4009
Email: dennis.mele@gmlaw.com

November 1, 2018

VIA E-MAIL

Barbara Blake Boy
Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301



Re: Oak Tree Land Use Plan Amendment (PC19-2)

Dear Barbara:

We have reviewed the agency comments regarding the above land use plan amendment and are providing the following information to address comments provided by Broward County Environmental Protection & Growth Management Department regarding water recharge areas on the subject property.

The project site is not located in a wellfield zone of influence.

It has become common knowledge within the environmental regulatory community that former golf courses are likely impacted by the long term usage of arsenical herbicides. This has resulted in arsenic-impacted groundwater at many of these sites, including the former Oak Tree Golf Course.

Generally speaking, if the groundwater beneath a site is known to be contaminated, it is not a good idea to implement infiltration practices at the site. The movement of contaminants in groundwater can be accelerated by an infiltration practice potentially resulting in environmental impacts to neighboring properties. However, there could be situations where infiltration practices can be implemented, depending upon site-specific circumstances, where relatively clean stormwater can be directed to areas of the site where rain water infiltrating down to the groundwater may have the effect of speeding up the natural attenuation process.

The proposed development of the former Oak Tree Golf Course, while limiting groundwater recharge within areas of the site due to increases in the amount of impervious surfaces, actually can have a beneficial effect on site water quality. By constructing a system where onsite stormwater is conveyed directly to surface water bodies, the proposed development drastically reduces the current exposure of stormwater to arsenic by eliminating the direct

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Nevada City New York Orlando Phoenix Portland San Diego Tallahassee Tampa West Palm Beach

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Barbara Blake Boy
November 1, 2018
Page No. 2

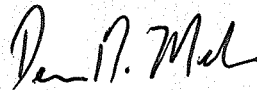
contact to soil and stopping the ongoing process of leaching arsenic from the soil to groundwater. This improvement allows uncontaminated stormwater to recharge the onsite groundwater, thereby improving regional water quality.

The stormwater management system proposed for Oak Tree development will include areas of directly connected impervious areas and will provide a positive drainage system to direct all runoff to the lake system. Thus, the quality of the groundwater recharge will be improved.

Please let me know if there is anything else you need concerning this land use plan amendment application.

Sincerely,

GREENSPOON MARDER LLP



Dennis D. Mele, Esq.

ATTACHMENT 15

GreenspoonMarder_{LLP}

Dennis D. Mele, Partner
PNC Building
200 East Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Direct Phone: 954.527.2409
Direct Fax: 954.333.4009
Email: dennis.mele@gmlaw.com

November 1, 2018

VIA E-MAIL

Barbara Blake Boy
Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301



Re: Oak Tree Land Use Plan Amendment – Community Rating System

Dear Barbara:

The Applicant has agreed to work with the City of Oakland Park (“City”) to maintain the rating that the City has under the Community Rating System (CRS) for flood protection. The City has its own CRS consultant and we will work with the City’s consultant and the Applicant’s engineer to determine any measures that the Applicant can undertake to maintain the current CRS rating.

Sincerely,

GREENSPOON MARDER LLP

A handwritten signature in black ink, appearing to read "Dennis D. Mele".

Dennis D. Mele, Esq.

Boca Raton Denver Ft. Lauderdale Iselin Las Vegas Los Angeles Miami Miami Beach Naples
Nevada City New York Orlando Phoenix Portland San Diego Tallahassee Tampa West Palm Beach

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ATTACHMENT 16



AYDEN Environmental

December 6, 2016

To: Tony Palumbo
Director of Land Acquisitions
South East Florida Division
4400 PGA Blvd, Suite 700
Palm Beach Gardens, Florida 33410



Re: Phase I ESA Certification
Former Oaktree Golf Course
2400 Prospect Road
Oakland Park, Florida

To Whom it Concerns:

Ayden Environmental LLC has performed a Phase I Environmental Site Assessment (ESA) in conformance with the scope and limitation of 40 CFR Part 312 and ASTM E 1527-13 for a former golf course parcel encompassing approximately 139 acres, with an address of 2400 West Prospect Road, Oakland Park, Broward County, Florida (the "Property"). Any exceptions to, or deviations from this practice are described in §2.3 of this report. We certify that the Phase I was performed by a qualified Environmental Professional meeting the requirements set forth in 40 CFR §312.10(b).

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR Part 312. I have the specific qualifications based on education, training, and experience to assess the nature, history, and setting of the Property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

December 6, 2016
Date

Environmental Professional

1.0 EXECUTIVE SUMMARY

This report presents the methodology and findings of a Phase I Environmental Site Assessment (ESA) conducted for the Pulte Group (the “Client”) by Ayden Environmental (Ayden) in November 2016 for a former golf course parcel encompassing approximately 139 acres, with an address of 2400 West Prospect Road, Oakland Park, Broward County, Florida (the “Property”). This Phase I ESA has been completed in accordance with the American Society for Testing and Materials (ASTM) Standard E 1527-13, “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.”

The Property is in a residential area west of Interstate 95 and south of North Fort Lauderdale. The Property lies in Section 17, Township 49 South, Range 42 East in Broward County, Florida. **Exhibit 1** depicts the Property location on a United States Geological Survey (USGS) 7.5-Minute Quadrangle Map, while **Exhibit 2** depicts the Property location on an aerial photograph.

The Property consists of an irregularly-shaped parcel and there are two buildings located near the northwestern border of the Property. These buildings may have been the former golf cart barn and the Utility Building. The golf cart barn was being used to store a boat and there was one fuel above grade storage tank (AST) noted near the boat. Outside of the Utility Building was noted an above grade storage tank, which was overgrown with vegetation at the time of Ayden’s site visit. The remaining elements of the Property include a former 18-hole golf course.

Readily available historical information concerning the past uses of the Property (including aerial photographs and interviews) was used to confirm historical site use. The Property was utilized as a golf course from at least 1969 to 2007, when it reportedly ceased operations.

Previous due diligence and site assessment reports (SARs) by others revealed the

previous usage of pesticides and herbicides (most likely monosodium methanarsonate) onsite, as part of golf course turf management, which has led to documented arsenic and chlorinated pesticide impacts to soils and groundwater. The impacted soils and groundwater were documented primarily near the previous maintenance building and on the golf course playing areas (i.e., greens, tees and fairways).

Findings

At the time of Ayden's inspection, the current owners of the Property did not appear to store, handle or dispose of hazardous or regulated materials in a manner which has resulted in environmental liabilities. However, the historical use of turf management chemicals, has resulted in environmental liabilities in the form of soil and groundwater contamination.

Ayden reviewed the Broward County Division of Pollution Prevention and Remediation Program (the Division) documents regarding the previous usage of pesticides and herbicides on the Property. The former Oaktree Golf Club was issued an Environmental Assessment and Remediation License by the Division (EAR License 1155) in June 2013. A Site Assessment Report (SAR) was prepared for the Division by Nutting Environmental of Florida, Inc. (NEF) on behalf of Blackshore Partners. The SAR was dated February 11, 2015 and documented arsenic and specific organochlorine pesticide contaminant concentrations above Direct Exposure Residential Soil Cleanup Target Levels and Groundwater Cleanup Target Levels as promulgated in Chapter 62-777 Florida Administrative Code (FAC). Additional soil and groundwater sampling efforts completed as required by the Division were documented in subsequent addenda. On April 15, 2016, the Division approved the site assessment activities onsite, although the "approval of this site assessment is predicated on use of this property as a Golf Course. If there is a change in future land use, the Division reserves the right to request additional assessment..."

On November 22, 2016, the Division issued a Provisional No Further Action with Conditions (NFAC) Approval for the Property. SCS indicated the soil contamination in concentrations above the residential direct exposure based SCTLs will be addressed via

engineering controls (fence) and a land use restriction (no groundwater use and no storm water controls installed without prior permission). SCS recommended pursuing No Further Action with Conditions (NFAC) for the arsenic and organic chlorine pesticide contamination at the site and submitting a draft Declaration of Restrictive Covenant (DRC). The NFAC package, including the proposed draft DRC, must be prepared and submitted to the Division no later than January 27, 2017.

Ayden's review of state and federal databases for neighboring facilities located within the approximate minimum search distance (AMSD) of the Property revealed a potential of offsite environmental concerns that could negatively affect the Property. There are 48 Broward County HW sites located within 0.25 miles of the Property, there is a contaminated site to the northeast of the Property and another on the NPL east-southeast of the Property. The highly-developed area in which the Property lies makes it susceptible to groundwater impacts from neighboring Properties. The contamination in these cases is primarily from petroleum products. However, the comprehensive groundwater assessment efforts completed at the Property as part of the County regulatory process did not identify any onsite chemical impacts due to offsite concerns.

Conclusions

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-13 for a former golf course parcel encompassing approximately 139 acres, with an address of 2400 West Prospect Road, Oakland Park, Broward County, Florida, the Property. Any exceptions to, or deletions from, this practice are described in §2.3 of this report.

This assessment has revealed evidence of recognized environmental conditions (REC) in connection with the Property. The historical use of arsenical herbicides and chlorinated pesticides has resulted in impacts to the soil and groundwater where these chemicals were applied.

In accordance with ASTM 1527-13, vapor migration has been included in this Phase I

ESA investigation. There should not be a potential for vapor migration at the Property.

This Phase I ESA concludes that there does not currently exist either a controlled recognized environmental condition (CREC) or a Historical Recognized Environmental Condition (HREC).

This summary does not contain all the information that is found in the full report. The report should be read in its entirety to obtain a more complete understanding of the information provided, and to aid in any decisions made or actions taken based on the information.

STATEMENT OF PROFESSIONAL CERTIFICATION

I, the undersigned professional engineer registered in Florida, certify that I am in responsible charge of the preparation and production of the Phase II Environmental Site Assessment for the Former Oak Tree Golf Course located at 2400 Prospect Road Oakland Park, Broward County, Florida.

Signature: 

Date: January 9, 2007

Licensee Name: Jeffrey A. Flairty, P.E.

Florida P.E. Registration No. 75869

Ayden Environmental, Inc.
131 W South St.
Smyrna, DE 19977
Certificate of Authorization No. 30334

5.0 DISCUSSION OF RESULTS

The soil data collected as part of this Phase II effort confirms that the historical practice of application of arsenical herbicides has resulted in elevated concentrations of arsenic within the Study Area soil. However, a targeted assessment of previous areas of documented organochlorinated pesticides (dieldrin and toxaphene) revealed no exceedances of applicable Florida SCTLs.

Arsenic impacts appear to be primarily present in the surficial six inches of soil within the Study area with relatively lower frequency and concentrations of arsenic impacts documented from 6-48 in bls. It appears the deeper impacts are located within the former golf course playing areas where impacted stormwater percolated into the deeper soil strata. Conversely, there does not appear to be similar deeper impacts within the non-playing areas (rough) where arsenical herbicides were likely not to have been applied.

These Phase II findings are likely to effectively reduce the volume of soil requiring remedial efforts by a factor of four due to the refinement of vertical contaminant distributions. Additionally, this data provides insight into potential contaminant distribution and likely transport mechanisms (infiltration rather than stormwater runoff) within the Study Area, all of which are critical to the formulation of an accurate conceptual site model (CSM).

ATTACHMENT 17



Environmental Protection and Growth Management Department

ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION

1 North University Drive, Mailbox 201, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

MEMORANDUM



DATE: August 22, 2018

TO: Dawn B. Teetsel, Assistant to the Executive Director, Broward County Planning Council

FROM: David Vanlandingham, P.E., Environmental Engineering and Permitting Division (EPPD)

EC: Sermin Turegun, P.E., Director, EPPD
Michael C. Owens, Esq., Senior Assistant County Attorney
John Gomolka, P.G., Hydrogeologist, EPPD

RE: Former Oak Tree Country Club
2400 W Prospect Rd., Oakland Park

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by DAVID
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Date: 2018.08.22
15:51:48 -04'00'

The Environmental Engineering and Permitting Division (Division) has reviewed the Phase I and Phase II Environmental Site Assessments prepared by AYDEN Environmental for the Former Oak Tree Country Club (Site), as well as other supporting material, that you provided to me by email on August 22, 2018. The Division has determined that the requirements of Policy 2.5.5(d) of the Broward County Land Use Plan have been satisfied. Please note the following:

- The Division has known that the Site is contaminated with arsenic and other herbicide and pesticide chemicals since 2013. On August 26, 2013, the Division executed Environmental Assessment and Remediation (EAR) License #1155 with Blackshore Partners LLC; since that time, Blackshore Partners LLC has conducted an assessment pursuant to Chapter 62-780, Florida Administrative Code, sufficient for the purpose of enacting a Declaration of Restrictive Covenant for the Site. The Declaration of Restrictive Covenant (DRC) was executed among Blackshore Partners, LLC, Blackwood Partners, LLC, and Broward County, was recorded on December 22, 2017, with Broward County Records Division, and is provided as an attachment to this Memorandum.
- The DRC requires, among other things, a prohibition of groundwater use and a restriction to limit land use to golf course and ancillary uses only. However, the DRC does not prohibit Broward County from considering, approving, or setting conditions for approval of land use changes for the Site.
- The Division has not received the pre-requisite additional site assessment information or the Remedial Action Plan that would dictate how the site would be rehabilitated to residential criteria. The Division would require that, before site rehabilitation can occur, a Responsible Party must conduct additional assessment and receive approval of a certified Remedial Action Plan commensurate with rehabilitating the site to residential use. If the Responsible Party does not currently hold an EAR License for the Site, they will be required by the Division to obtain one prior to implementing assessment activities.

If you have any questions or wish to discuss, please feel free to give me a call at (954) 519-1478.

Attachment: Declaration of Restrictive Covenant recorded December 22, 2017

This instrument prepared by:
Dawn M. Meyers
350 East Las Olas Boulevard, Suite 1000
Fort Lauderdale, FL 33301
Telephone: 954-712-5147
Facsimile: 954-523-2872

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT (hereinafter "Declaration") is made this 21st day of December, 2017, by BLACKSHORE PARTNERS, LLC, a Florida limited liability company and BLACKWOOD PARTNERS, LLC, a Florida limited liability company (collectively hereinafter "GRANTOR") and Broward County (hereinafter "BROWARD COUNTY") by and through its Environmental Engineering and Permitting Division (hereinafter "EPPD").

RECITALS

A. GRANTOR is the fee simple owner of that certain real property situated in the County of Broward, State of Florida, more particularly described in Exhibit "A" attached hereto and made a part hereof (hereinafter the "Restricted Property").

B. The BROWARD COUNTY Environmental Assessment and Remediation ("EAR") License Number for the Restricted Property is EAR License #1155. The facility name at the time of this Declaration is Former Oak Tree Country Club. This Declaration addresses the discharge that was reported to BROWARD COUNTY on April 25, 2013.

C. The Oak Tree Country Club was improved from vacant land in approximately 1960. The golf course has been inactive since 2007. Based on the historical use and application of agricultural chemicals ("agrochemicals") in the golf course operations, including arsenic-based herbicides and chlorinated pesticides, residual agrochemicals were found in the soil and groundwater at the Restricted Property. The discharge of arsenic on the Restricted Property is documented in the following reports that are incorporated by reference:

1. Preliminary Wildlife Investigation Report dated June 2007, submitted by Miller Legg & Associates, Inc.;
2. Phase I ESA Report dated August 23, 2007, submitted by Harman & Bates Engineering, Inc.;
3. Site Assessment Report dated February 11, 2015, submitted by Nutting Environmental of Florida, Inc. ("Nutting");
4. Site Assessment Report Addendum dated July 27, 2015, submitted by Nutting;

5. Site Assessment Report Addendum II dated October 19, 2015, submitted by Nutting;
6. No Further Action Proposal dated April 28, 2016, submitted by Stearns, Conrad and Schmidt, Consulting Engineers, Inc. ("SCS");
7. Determination of Alternate Soil Cleanup Target Levels dated July 28, 2016, submitted by SCS; and
8. Supplemental ASCTL Information dated October 14, 2016, submitted via email by SCS.

D. The reports noted in Recital C set forth the nature and extent of the contamination described in Recital C that is located on the Restricted Property. These reports confirm that contaminated soil and groundwater as defined by Chapter 62-780, Florida Administrative Code ("F.A.C."), exists on the Restricted Property. This declaration imposes restrictions on the area of soil contamination. This declaration also imposes restrictions on the use of groundwater. Groundwater should not be utilized.

Site-specific calculations of the golf course alternate Direct Exposure Soil Cleanup Target Levels were provided in the Determination of Alternate Soil Cleanup Target Levels dated July 28, 2016 and Supplemental ASCTL Information dated October 14, 2016, both prepared by SCS and approved by BROWARD COUNTY on November 22, 2016.

E. Grantor filed with the City of Oakland Park an application to change the land use plan designation on the Restricted Property to allow for residential uses.

F. It is the intent of the restrictions in this Declaration to reduce or eliminate the risk of exposure of users or occupants of the Restricted Property and the environment to the contaminants and to reduce or eliminate the threat of migration of the contaminants during the land use plan amendment and the site rehabilitation processes, as well as thereafter.

G. EEPD will not issue a No Further Action with Controls Approval ("NFAC Approval") upon recordation of this Declaration because contaminated groundwater and soil remains at the site at levels above applicable cleanup target levels. Site rehabilitation of the remaining contaminated groundwater and soil is ongoing. If cleanup target levels are later met, then GRANTOR and BROWARD COUNTY, or their successors and assigns, may agree in writing to amend or remove this Declaration and, if applicable, may issue an NFAC Approval at that time.

H. GRANTOR deems it desirable and in the best interest of all present and future owners of the Restricted Property that the Restricted Property be held subject to certain restrictions and institutional controls, all of which are more particularly hereinafter set forth.

NOW, THEREFORE, for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the undersigned parties, GRANTOR agrees as follows

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. This Declaration is predicated on historic golf course use, and, upon recordation of this Declaration, is in compliance with the requirements of EAR License #1155. In anticipation of the Grantor's intention to apply to Broward County for a change in the land use plan designation of the Restricted Property to become effective following the approval of a Remedial Action Plan ("RAP") addressing the contamination on the Restricted Property or other evidence of conformance with the applicable regulatory measures to address the contamination on the Restricted Property ("RAP Alternative") by EEPD, this Declaration does not restrict implementation of an approved RAP or RAP Alternative or prohibit approval of a land use plan amendment by the City of Oakland Park (or any successor municipal entity) or Broward County. GRANTOR hereby imposes on the Restricted Property the following restrictions:

GROUNDWATER RESTRICTIONS:

- a. There shall be no use of the groundwater under the Restricted Property. There shall be no drilling for water conducted on the Restricted Property, nor shall any wells be installed on the Restricted Property other than monitoring or irrigation wells pre-approved in writing by EEPD in addition to any authorizations required by the South Florida Water Management District ("SFWMD") and the Florida Department of Environmental Protection Water Resource Management Division ("WRMD").
- b. For any dewatering activities on the Restricted Property, a plan approved by EEPD must be in place to address and ensure the appropriate handling, treatment and disposal of any extracted groundwater that may be contaminated.
- c. Attached as Exhibit "B," and incorporated by reference herein, is a Survey identifying the size and location of existing stormwater swales, stormwater detention or retention facilities, and ditches on the Restricted Property. Such existing stormwater features shall not be altered, modified or expanded, and there shall be no construction of new stormwater swales, stormwater detention or retention facilities or ditches on the Restricted Property without prior written approval from EEPD in addition to any authorizations required by SFWMD and WRMD. A

revised exhibit must be recorded when any stormwater feature is altered, modified, expanded, or constructed.

LAND USE RESTRICTIONS:

- d. During the site rehabilitation process, no building permit shall be issued pertaining to the Restricted Property except as necessary to the site rehabilitation process.

EXCEPTIONS AND LIMITATIONS:

- e. The restrictions herein do not prohibit the City of Oakland Park's (or any successor municipal entity), Broward County's, or any other local governmental entity's consideration of, approval of, or setting conditions for approval of changes to the land use plan designation of the Restricted Property, which may include termination or release of affected portions of the Restricted Property from this Declaration.
 - f. Excavation and construction below land surface is not prohibited on the Restricted Property provided any contaminated soils that are excavated are removed and properly disposed of pursuant to Chapter 62-780, F.A.C., and any other applicable local, state, and federal requirements (unless otherwise provided for in a RAP or RAP Alternative approved by EEPD). Nothing herein shall limit any other legal requirements regarding construction methods and precautions that must be taken to minimize risk of exposure while conducting work in contaminated areas. For any dewatering activities, a plan pre-approved by EEPD must be in place to address and ensure the appropriate handling, treatment, and disposal of any extracted groundwater that may be contaminated. Nothing in this Declaration shall prevent, limit or restrict any excavation or construction at or below the surface outside the boundary of the Restricted Property.
3. In the remaining paragraphs, all references to "GRANTOR," "BROWARD COUNTY," and "EEPD" shall also mean and refer to their respective successors and assigns.
 4. For the purpose of monitoring the restrictions contained herein, BROWARD COUNTY is hereby granted a right of entry upon and access to the Restricted Property at reasonable times and with reasonable notice to GRANTOR. Access to the Restricted Property is granted by an adjacent public right of way.
 5. It is the intention of GRANTOR that this Declaration shall touch and concern the Restricted Property, run with the land and with the title to the Restricted Property, and shall apply to and be binding upon and inure to the benefit of GRANTOR and BROWARD COUNTY, and to any and all parties hereafter

having any right, title or interest in the Restricted Property or any part thereof. BROWARD COUNTY may enforce the terms and conditions of this Declaration by injunctive relief and other appropriate available legal remedies. Any forbearance on behalf of BROWARD COUNTY to exercise its right in the event of the failure of GRANTOR to comply with the provisions of this Declaration shall not be deemed or construed to be a waiver of BROWARD COUNTY's rights hereunder. This Declaration shall continue in perpetuity, unless otherwise modified in writing by GRANTOR and EEPD as provided in paragraph 7 hereof. These restrictions may also be enforced in a court of competent jurisdiction by any other person, firm, corporation, or governmental agency that is substantially benefited by these restrictions. If GRANTOR does not or will not be able to comply with any or all of the provisions of this Declaration, GRANTOR shall notify EEPD in writing within three (3) calendar days. Additionally, GRANTOR shall notify EEPD thirty (30) days prior to any conveyance or sale, granting or transferring the Restricted Property or portion thereof, to any heirs, successors, assigns or grantees, including, without limitation, the conveyance of any security interest in said Restricted Property.

6. GRANTOR shall record this Declaration and reference these restrictions in any subsequent lease or deed of conveyance, including the recording book and page of record of this Declaration. Furthermore, prior to the entry into a landlord-tenant relationship with respect to the Restricted Property, GRANTOR agrees to notify in writing all proposed tenants of the Restricted Property of the existence and contents of this Declaration of Restrictive Covenant.
7. This Declaration is binding until a termination or release of covenant is executed by the EEPD Director (or designee) and is recorded in the Public Records of Broward County, Florida. To receive prior approval from the EEPD to remove any requirement herein, cleanup target levels established pursuant to Florida Statutes, Florida Department of Environmental Protection rules, and the Broward County Code of Ordinances must be achieved. This Declaration may be modified in writing only. Any subsequent amendments must be executed by both GRANTOR and the EEPD Director (or designee) and be recorded by GRANTOR as an amendment hereto. This Declaration may also be terminated or released in whole or in part as to portions of the Restricted Property. Upon EEPD approval of a RAP or RAP Alternative for said portion(s) of the Restricted Property as described in the RAP or RAP Alternative legal description, and subject to any requirement for ongoing monitoring or engineering controls, the GRANTOR and BROWARD COUNTY will promptly execute a "Termination and Release of Declaration of Restrictive Covenant" in substantially the form attached hereto as Exhibit "C" for GRANTOR to record in the public records of Broward County, Florida, as to any such portion of the Restricted Property as applicable from time to time.

8. If any provision of this Declaration is held to be invalid by any court of competent jurisdiction, the invalidity of that provision shall not affect the validity of any other provisions of the Declaration. All such other provisions shall continue unimpaired in full force and effect.

9. GRANTOR covenants and represents that on the date of execution of this Declaration that GRANTOR is seized of the Property in fee simple and has good right to create, establish, and impose this restrictive covenant on the use of the Property. GRANTOR also covenants and warrants that the Property is free and clear of any and all liens, mortgages, or encumbrances that could impair GRANTOR'S rights to impose the restrictive covenant described in this Declaration.

[Remainder of Page Intentionally Left Blank]
Signature pages to Follow]

IN WITNESS WHEREOF, William M. Murphy as Manager
of Blackshore Partners, LLC, has executed this instrument this 28th day of November,
2017.

GRANTOR:
BLACKSHORE PARTNERS, LLC

By: [Signature]
Name: William M. Murphy
Title: MANAGER
Mailing Address: 1700 NW 66th Av
Suite 102, Plantation FL 33313

Signed, sealed and delivered in the presence of:

[Signature] 11-28-2017
Date

Shawnequa Threatt
Witness Print Name

[Signature] 11/28/17
Date

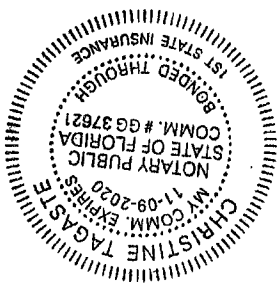
Kate A. Murphy
Witness Print Name

STATE OF FLORIDA)
) ss:
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me, a person authorized to take oaths and affirmations, 11-28, 2017, by William M. Murphy who is personally known to me or produced N/A as identification and took an oath and swore that the foregoing was true and correct to the best of his/her/their knowledge.

[Signature]
NOTARY PUBLIC – State of Florida at Large

My commission expires: 11-09-2020



BLACKWOOD PARTNERS, LLC

By: [Signature]
Name: William M. Murphy
Title: MANAGER
Mailing Address: 2700 NW 66th Ave
Suite 102, Plantation FL 33373

Signed, sealed and delivered in the presence of:

[Signature] 11/28/17
Date
Shawneqa Treat
Witness Print Name

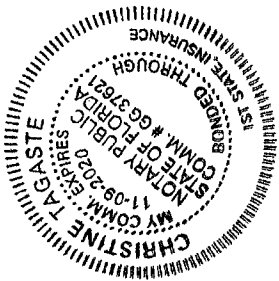
[Signature] 11/28/17
Date
Kate A. Murphy
Witness Print Name

STATE OF FLORIDA)
) ss:
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me, a person authorized to take oaths and affirmations, 11-28, 2017, by William M. Murphy who is personally known to me or produced N/A as identification and took an oath and swore that the foregoing was true and correct to the best of his/her/their knowledge.

[Signature]
NOTARY PUBLIC - State of Florida at Large

My commission expires: 11-09-2020



IN WITNESS WHEREOF, BROWARD COUNTY, by and through its Environmental Protection & Growth Management Department, has executed this instrument to acknowledge its consent thereto this 21st day of December, 2017.

Signed, sealed and delivered in the presence of:

Broward County, by and through its Environmental Protection & Growth Management Department

Witness:

[Signature]

Print Name: DAVID SINGLETON
Date: 12/21/17

By: [Signature] *Acting*
Name: Sermin Turegun, Director
Environmental Engineering and Permitting Division

Witness:

[Signature]

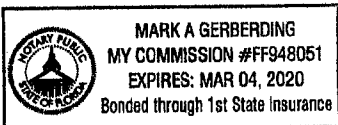
Print Name: Matt Thiesen
Date: 12-21-17

Approved as to form by
Andrew J. Meyers, Esq.
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, FL 33301
Telephone (954) 357-7600
Telecopier: (954) 357-7641

By: [Signature]
Michael C. Owens
Senior Assistant County Attorney
Date 12/15/17

STATE OF FLORIDA)
) ss:
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me, a person authorized to take oaths and affirmations, this 21 day of DECEMBER, 2017, by DAVID UNLANDING HAM, as representative for the Broward County Environmental Protection and Growth Management Department who is personally known to me or produced _____ as identification and took an oath and swore that the foregoing was true and correct to the best of his/her/their knowledge.



[Signature]
NOTARY PUBLIC – State of Florida at Large

My commission expires: MARCH 4, 2020

EXHIBIT "A"
LEGAL DESCRIPTION
OF
RESTRICTED PROPERTY

Parcel 1:

The SE 1/4 of the NE 1/4 of the SW 1/4 LESS the East 462 feet measured at right angles to the East boundary line, AND the SW 1/4 of the NE 1/4 of the SW 1/4 of Section 17, Township 49 South, Range 42 East, Broward County, Florida.

Parcel 2:

The East 1/2 of the SW 1/4 of the NW 1/4 of the SE 1/4, AND the SE 1/4 of the NW 1/4 of the SE 1/4, subject to Road Right-of-Way, Prospect Road, in Section 17, Township 49 South, Range 42 East, Broward County, Florida.

Excepting from Parcels 1 and 2:

The Plat of Golf-Tam Village, according to the Plat thereof, as recorded in Plat Book 119, Page 18, of the Public Records of Broward County, Florida.

And

The Plat of Oak Tree Plat, according to the Plat thereof, as recorded in Plat Book 177, Pages 5 through 7, of the Public Records of Broward County, Florida.

And further excepting from Parcel 1:

A strip of land lying 10 feet Easterly of and adjacent to Lots 48 through 54 of Golf-Tam Village, according to the Plat thereof recorded in Plat Book 119, Page 18, as described in Deeds recorded in Official Records Book 29422, Page 1241, Official Records Book 26164, Page 594, Official Records Book 27269, Page 768, Official Records Book 26397, Page 365, Official Records Book 17451, Page 317, Official Records Book 17239, Page 982, Official Records Book 20598, Page 805 and Official Records Book 25050, Page 204 all of the Public Records of Broward County, Florida.

Parcel 3:

Lot 17, Fort Lauderdale Industrial Airpark - Section 1, according to the Plat thereof, recorded in Plat Book 63, Page 10, of the Public Records of Broward County, Florida.

Parcel 4:

Parcel B of Plat of Golf-Tam Village, according to the Plat thereof, as recorded in Plat Book 119, Page 18, of the Public Records of Broward County, Florida.

Parcel 5:

W 1/2 of SW 1/4 of NW 1/4 of SE 1/4 in Section 17, Township 49 South, Range 42 East, Broward County, Florida.

Excepting from Parcel 5:

The Plat of Golf-Tam Village, according to the Plat thereof, as recorded in Plat Book 119, Page 18, of the Public Records of Broward County, Florida.

Parcel 6:

The SE 1/4 of the SW 1/4; the SW 1/4 of the SE 1/4 and that portion of the SE 1/4 of the SE 1/4 lying West of the Decker Road right of way and South of Prospect Highway Road right of way as said roads are presently situated. All in Section 17, Township 49 South, Range 42 East, Broward County, Florida, less and except any portion thereof lying within the Plat of Golf-Tam Village, according to the plat thereof as recorded in Plat Book 119, Page 18, of the Public Records of Broward County, Florida.

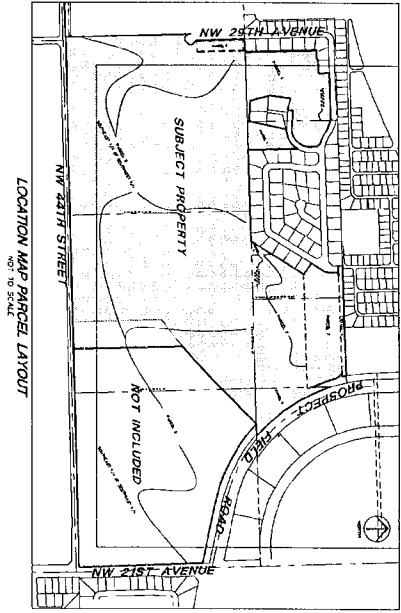
Parcel 7:

All of Oak Tree Plat, according to the Plat thereof, as recorded in Plat thereof, as recorded in Plat Book 177, Pages 5 through 7, of the Public Records of Broward County, Florida.

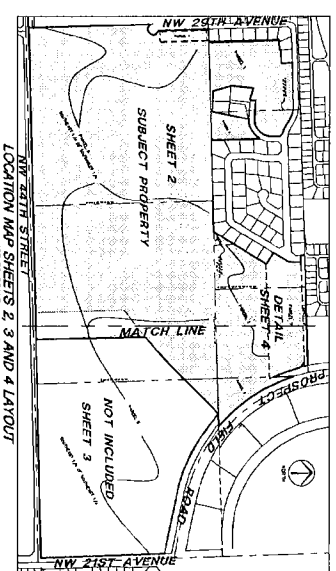
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NOTES

- 1. ALL DIMENSIONS ARE TO CENTER OF CURVATURE UNLESS OTHERWISE NOTED.
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BOUNDARY SURVEY



EXPLANATION

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LOCAL DISPOSITION

All easements, rights of way, and other interests are shown in accordance with the records of the public records of the State of Florida. The surveyor has not observed any unrecorded interests in the property.

NO.	DATE	BY	QUANTITY	DESCRIPTION
1	2/2/16	RAY	57.00	AREA
2	N/A	DVD	2195	
3	N/A	RAY	2182	
4	N/A		55	

GRAVEN THOMPSON AND ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYORS

3563 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309
TEL: 352.435.1550 FAX: 352.435.1552

FLORIDA LICENSE ENGINEERING SURVEYING AND MAPPING NUMBER 11711
FLORIDA LICENSE PROFESSIONAL LANDSCAPE ARCHITECTURE NUMBER 93283

OAK TREE COUNTRY CLUB

PREPARED FOR
Q.L. HOMES OF FLORIDA II CORPORATION

BOUNDARY SURVEY

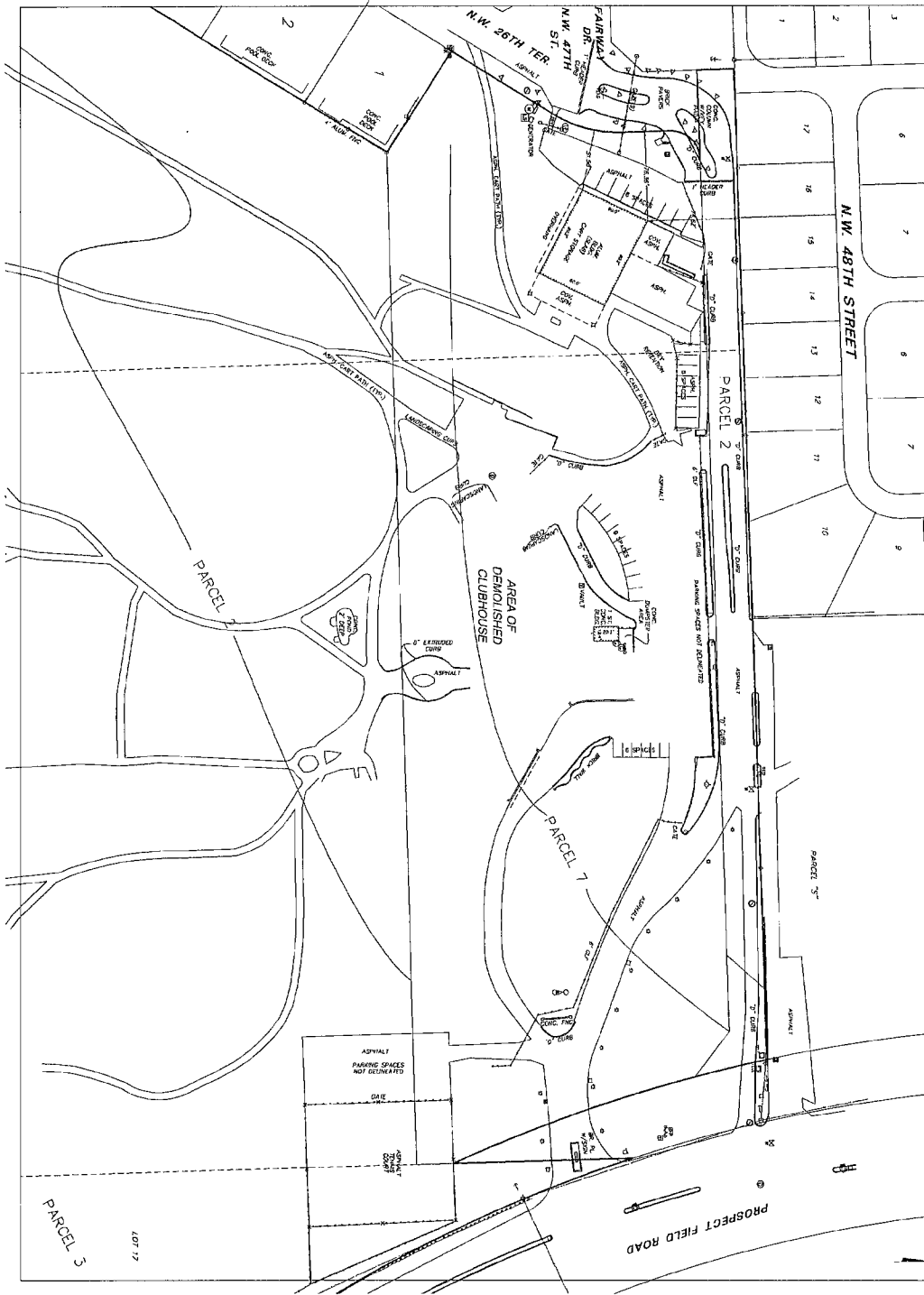
PROJECT NO. **06-0064**

S-1

SH-1

SHEET 1 OF 4

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BOUNDARY SURVEY

SCALE: 1"=40'

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DESCRIPTION:	

OAK TREE COUNTRY CLUB

PREPARED FOR:
G.L. HOMES OF FLORIDA II CORPORATION

BOUNDARY SURVEY

GRAVEN - THOMPSON AND ASSOCIATES, INC.
 ENGINEERS - PLANNERS - SURVEYORS

3263 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309
 TEL: (352) 732-8409 FAX: (352) 732-8409

FLORIDA LICENSE ENGINEERING SURVEYING & PLANNING EXPIRES 12/31/17
 FLORIDA LICENSE LANDSCAPE ARCHITECTURE EXPIRES 12/31/17

PROJECT NO.
06-0064

SHEET **4** OF **4**

EXHIBIT "C"

This Instrument Prepared By and Return to:

Dawn Meyers
Berger Singerman
350 East Las Olas Blvd.
Suite 1000
Fort Lauderdale, FL 33301

SPACE ABOVE THIS LINE FOR PROCESSING DATA

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**TERMINATION AND RELEASE OF
DECLARATION OF RESTRICTIVE COVENANT**

THIS [TERMINATION AND RELEASE OR PARTIAL TERMINATION AND RELEASE] OF DECLARATION OF RESTRICTIVE COVENANT (this "Termination") is made this _____ day of _____, by _____, authorized to conduct business in the State of Florida (hereinafter "Owner"), and Broward County by and through its Environmental Engineering and Permitting Division ("EEPD").

WHEREAS, Owner is the owner of that certain real property situated at the City of Oakland Park in the County of Broward, State of Florida, legally described on Exhibit "A" (the "Subject Property"); and

WHEREAS, Blackshore Partners, LLC, a Florida limited liability company, and Blackwood Partners, LLC, a Florida limited liability company and Broward County entered into that certain Declaration of Restrictive Covenant dated _____, which was recorded in Official Records Book _____, Page _____ of the Public Records of Broward County, Florida (the "Declaration"); and;

WHEREAS, Owner and Broward County desire to [terminate and release OR partially terminate and release the Declaration as to the Subject Property because EEPD has approved a Remedial Action Plan ("RAP") as to the [Subject Property OR portion of the Subject Property legally described in Exhibit "B"].

NOW THEREFORE, Owner and Broward County hereby [terminate and release OR partially terminate and release the Declaration as to the [Subject Property OR portion of the Subject Property legally described in Exhibit "B"].

This Termination and Release will be recorded in the Public Records of Broward County which will terminate the Declaration as to the [Subject Property OR portion of the Subject Property legally described in Exhibit "B"]. Nothing contained in this Termination and Release is intended or shall be construed to terminate or release any restriction or condition affecting any property other than the property more particularly described herein as the Subject Property.

(Signature Pages to follow)

IN WITNESS WHEREOF, _____ as _____ of Blackshore Partners, LLC, has executed this instrument this ____ day of _____, 20__.

GRANTOR:
BLACKSHORE PARTNERS, LLC

By: _____
Name: _____
Title: _____
Mailing Address: _____

Signed, sealed and delivered in the presence of:

Date

Witness Print Name

Date

Witness Print Name

STATE OF FLORIDA)
) ss:
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me, a person authorized to take oaths and affirmations, _____, 20__, by _____, who is personally known to me or produced _____ as identification and took an oath and swore that the foregoing was true and correct to the best of his/her/their knowledge.

NOTARY PUBLIC – State of Florida at Large

My commission expires:

BLACKWOOD PARTNERS, LLC

By: _____
Name: _____
Title: _____
Mailing Address: _____

Signed, sealed and delivered in the presence of:

Date

Witness Print Name

Date

Witness Print Name

STATE OF FLORIDA)
) ss:
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me, a person authorized to take oaths and affirmations, _____, 20__, by _____, who is personally known to me or produced _____ as identification and took an oath and swore that the foregoing was true and correct to the best of his/her/their knowledge.

NOTARY PUBLIC – State of Florida at Large

My commission expires:

IN WITNESS WHEREOF, BROWARD COUNTY, by and through its Environmental Protection & Growth Management Department, has executed this instrument to acknowledge its consent thereto this _____ day of _____, 20__.

Signed, sealed and delivered in the presence of:

Broward County, by and through its Environmental Protection & Growth Management Department

Witness:

By: _____

Print Name: _____

Name: Sermin Turegun, Director
Environmental Engineering and Permitting Division

Date: _____

Witness:

Approved as to form by
Andrew J. Meyers, Esq.
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, FL 33301
Telephone (954) 357-7600
Telecopier: (954) 357-7641

Print Name: _____

Date: _____

By: _____

Michael C. Owens
Senior Assistant County Attorney
Date _____

STATE OF FLORIDA)
) ss:
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me, a person authorized to take oaths and affirmations, this ____ day of _____, 20__, by _____, as representative for the Broward County Environmental Protection and Growth Management Department who is personally known to me or produced _____ as identification and took an oath and swore that the foregoing was true and correct to the best of his/her/their knowledge.

NOTARY PUBLIC – State of Florida at Large

My commission expires:

ATTACHMENT 18

GreenspoonMarder_{LLP}

Dennis D. Mele, Partner
PNC Building
200 East Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Direct Phone: 954.527.2409
Direct Fax: 954.333.4009
Email: dennis.mele@gmlaw.com

November 1, 2018

VIA E-MAIL

Barbara Blake Boy
Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301



Re: Oak Tree Land Use Plan Amendment

Dear Barbara:

As the authorized representative of Pulte Group, contract purchaser and developer of the Oak Tree Golf Course property ("Applicant"), we acknowledge that a Broward County Environmental Assessment and Remediation (EAR) License will be required prior to issuance of any construction permit that results in a change of land use on the property. The Applicant will perform the assessment and cleanup as required by Chapter 62-780 FAC and Chapter 27 of the Broward County Code.

Sincerely,

GREENSPOON MARDER LLP

A handwritten signature in black ink, appearing to read "Dennis D. Mele".

Dennis D. Mele, Esq.

Boca Raton Denver Ft. Lauderdale Iselin Las Vegas Los Angeles Miami Miami Beach Naples
Nevada City New York Orlando Phoenix Portland San Diego Tallahassee Tampa West Palm Beach

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36537320.1

ATTACHMENT 19

BrowardNext - Broward County Land Use Plan Policies “Parks/Conservation”

Planning Council Staff Review Comments Regarding Proposed Amendment PC 19-2 City of Oakland Park

POLICY 2.5.4 Broward County shall strongly encourage the preservation of open space areas. Amendments to the Broward County Land Use Plan which would result in the loss of open space shall be strongly discouraged and be required to address how open space and recreation needs of the existing and projected residents of the community will be met, including how the negative impacts of the loss of open space on surrounding neighborhoods will be minimized or mitigated.

Planning Council Staff Comment

The subject site is 140.7 gross acres and is currently designated as 132.7 acres of Recreation and Open Space, 6.0 acres of Low-Medium (10) Residential and 2.0 acres of Low (5) Residential. The site was formerly utilized as a golf course. The proposed amendment would change the land use designation to 140.7 acres of Irregular (2.88) Residential, and the net impact is an additional 335 dwelling units for a total of 405 dwelling units.

For informational purposes, Oakland Park currently has approximately 189.59 acres of parks and open space to serve its residents. It is estimated that the proposed land use plan amendment will result in an increase of 2.36 acres on the projected demand for local parks, and the City’s 2045 projected population (53,138) requires approximately 156.41 acres to meet its LOS. The City continues to meet both its adopted LOS and the BCLUP community parks acreage requirement of 3 acres per one thousand existing and projected population. See Attachment 1. It is noted that the proposed amendment will not impact the available park and open space acreage, as the City does not include any portion of the former Oak Tree golf course in its certified parks and open space inventory.

In addition, the applicant has submitted a draft Declaration of Restrictive Covenants to dedicate a minimum of 9.0 acres of the property for community recreation and open space, the location of which will be determined in coordination with the City at the time of site plan review. See Attachment 3. The applicant is also providing open space areas throughout the development, a community clubhouse, pool, and a greenway and fitness trail that will connect to a similar existing facility on Northwest 38 Street, as identified on the attached conceptual master plan.

POLICY 2.5.5 Amendments to the Broward County Land Use Plan containing golf courses, including closed golf courses, shall address the following:

a. The impact of the loss of open space on the surrounding residential areas. The loss of open space must be mitigated through provision of parks and open space to serve the surrounding neighborhood.

Planning Council Staff Comment

The subject amendment site is primarily surrounded by single-family and multi-family residential developments. To address the proposed conversion of the former golf course use, the applicant has voluntarily committed to dedicate at least 9.0 acres of the amendment site as community recreation and open space, in addition to providing open space areas throughout the subject property to be determined in coordination with the City at the time of site plan. See the attached conceptual master plan and Attachment 3. Further, a description of the applicant's outreach efforts to area residents is included in Attachment 20.

Planning Council staff notes that the proposed amendment will not impact the available park and open space acreage, as the City does not include any portion of the former Oak Tree golf course in its certified parks and open space inventory.

b. Management of storm water retention taking into account the extent to which the golf course provided storm water retention for the surrounding development and how this will be mitigated, along with any additional storm water impacts created by the new development.

Planning Council Staff Comment

The applicant has provided correspondence identifying that the redevelopment of the site includes constructing a drainage system that will convey onsite stormwater directly to surface water bodies to reduce stormwater exposure to arsenic associated with the former golf course use and thereby improving the quality of the groundwater. See Attachment 14. Further, the applicant is coordinating with the City of Oakland Park to maintain the rating that the City has under the Community Rating System for flood protection. See Attachment 15.

It is also noted that the EPGMD report indicates that the proposed amendment would involve a minor percentage of impervious area and that the development resulting from the proposed amendment would result in a net decrease in the volume of water available for recharge. The change in recharge capacity resulting from the proposed amendment would be minor. See Attachment 11.

c. Minimization of the impact on natural resources including wetlands, lakes, aquifer recharge areas and the tree canopy, including any historic trees on the site.

Planning Council Staff Comment

The applicant has indicated that during the site design phase, the existing trees will be evaluated for size, location and health in an effort to minimize the number of trees removed from the subject property, and that the site design will incorporate as many of the existing trees as possible. The site plan will also conform to the City's landscape requirements and will provide the necessary open space and landscape materials required by the City's code. The applicant has also indicated that an endangered common wild air plant on the subject property will be protected on-site. See Attachment 13.

In addition, redevelopment of the site will meet all applicable standards enforced by regulating agencies to ensure the protection of natural resources and remediation of the contaminated soil resulting from the former golf course use, thereby improving the quality of water that is available for aquifer recharge. See Attachments 12, 14 and 18.

d. Mitigation of environmental contamination. The level of environmental contamination must be determined by conducting a Phase 1 environmental assessment. A Phase 2 environmental assessment may be required based upon the findings of the Phase 1 assessment.

Planning Council Staff Comment

The applicant has conducted Phase I and Phase II environmental assessments for the amendment site. See Attachment 16 for a summary. The Broward County Environmental Engineering and Permitting Division (EPPD) staff has confirmed that the Phase I and Phase II environmental assessments provided are consistent with the requirements of Broward County Land Use Plan Policy 2.5.5(d). The EPPD report indicates that staff has known that the amendment site is contaminated with arsenic and other herbicide and pesticide chemicals since 2013, resulting in the execution of Environmental Assessment and Remediation (EAR) license #1155 and a Declaration of Restrictive Covenants for the site. In addition, the EPPD will require a Remedial Action Plan (RAP) detailing how the site will be cleaned up prior to development. See Attachment 17. The applicant has provided correspondence stating that it will obtain all the necessary permitting and licensing required for residential development of the property. See Attachments 12 and 18.

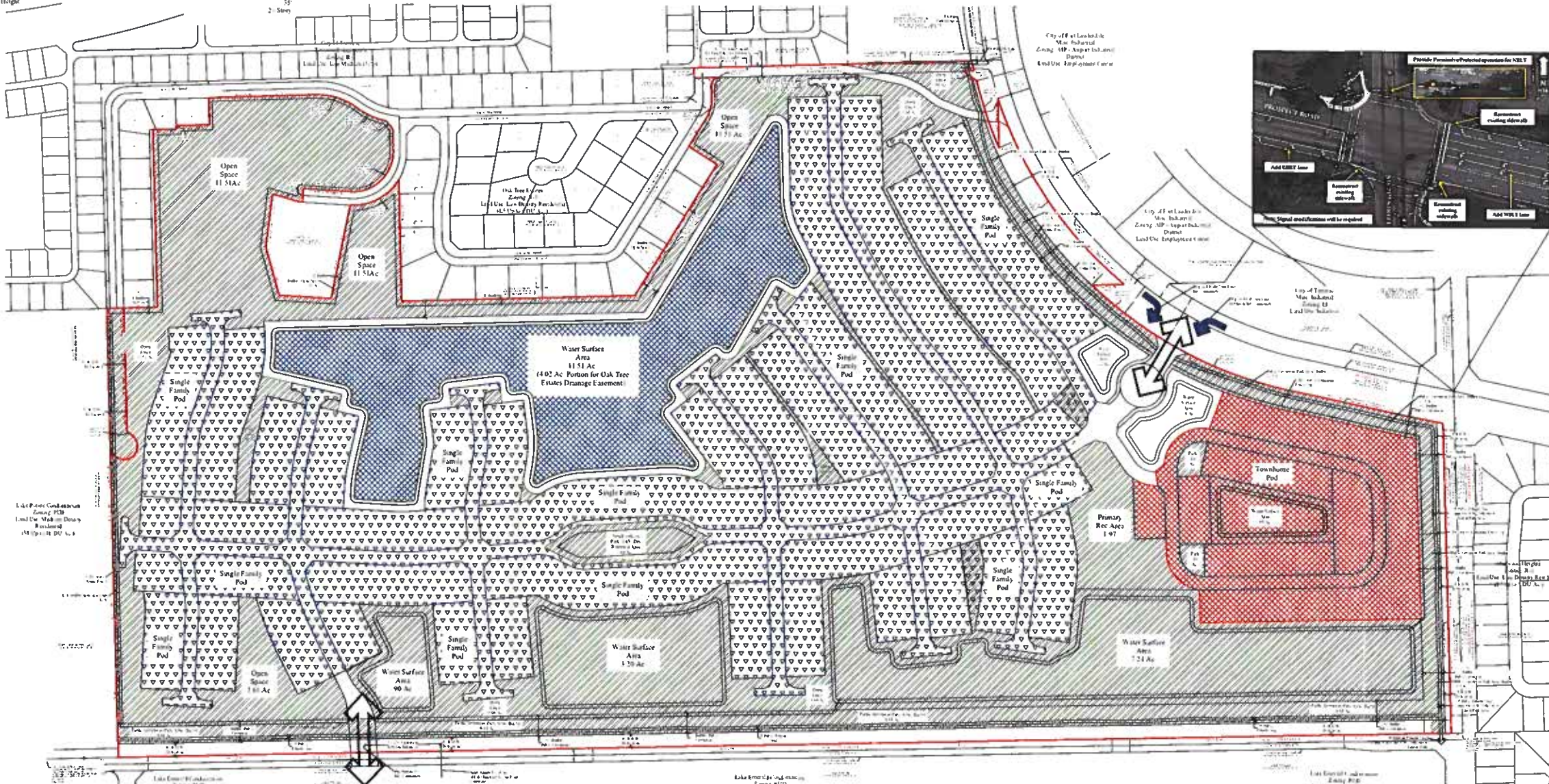
e. Integration of the proposed development with the surrounding areas including how the development will tie into the existing neighborhoods through roads, sidewalks, parks/open space and greenways.

Planning Council Staff Comment

The applicant has indicated that access to the site is proposed on Prospect Road and Southwest 44 Street. The development will provide sidewalks throughout to provide for safe pedestrian movement within the development, as well as provide connections to existing and proposed sidewalks along Prospect Road and Southwest 44 Street. The applicant has submitted a draft Declaration of Restrictive Covenants to dedicate a minimum of 9.0 acres of the property for community recreation and open space. See Attachment 3. In addition, the applicant has agreed to construct a public greenway and fitness trail along Northwest 21 Avenue and Northwest 44 Street which will link to the similar existing facility on Northwest 38 Street via the existing sidewalk along Northwest 21 Avenue, as well as provide open space areas throughout the development, including a community clubhouse and pool, as identified on the attached conceptual masterplan.

SITE DATA

Total Site Area - Net Usage	179.16 AC (6,081,809.6 SF)
Total Site Area - Gross Usage	148.70 AC (5,128,892.5 SF)
Existing Zoning Designation	Open Space - Recreation
Proposed Zoning Designation	PLD - Planned Unit Development
Existing Land Use Designation	PL - Park and Recreation
Proposed Land Use Designation	Regular Residential (1.5) 12 D U - AC 8
Current Use of Property	Acres
Water and Sewer Provider	City of Fort Lauderdale
Total Number of Units	403 D.U.
Net Density	2.91 Net D.U./AC
Open Space	228 (12.7%) AC
Total Drainage Area Proposed	214.82 AC (7,061,159.2 SF) - 12% 4
Total Lake Surface Residential Area	12.71 AC (431,647.6 SF) 1
Total Dry Recreation Area Residential Area	60 AC (2,051,975 SF) 1
Total Lake Surface North Open Space Area	11.31 AC (390,374.5 SF) 1
Includes Total Lake Surface Area From Tree Buffer Drainage Easement Open Space Area	4.02 AC (137,111.20 SF) 1
Open Space Required (15%)	48.71 AC (1,658,617.5 SF) 1
Open Space Provided	49.79 AC (1,688,524 SF) - 50% 1
Primary Rec. Area	1.97 AC (68,413.2 SF) - 2% 4
Neighborhood Park - Dry Retention Area	1.01 AC (34,806.8 SF) - 2% 4
Oak Tree Open Space Area - Buffer Area	16.55 AC (571,206 SF) - 15% 4
Open Space Area South Area B - Internal Neighborhood Park 1	21.84 AC (750,856.4 SF) - 20% 4
Buffer Area - West Buffer Area 2	42.36 AC (1,452,205 SF) - 15% 4
Public Greenspace Park Open Space - West Buffer Area 2	8.88 AC (306,412.80 SF) - 18% 4
Maximum Building Height	5' 0"
Number of Stories	2 - Story



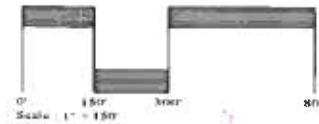
PROJECT NOTES

- E.S.P. - Lake Maintenance Easement
- R.S. - Residential Access Street
- L.E. - Chain Easement
- L.U. - Utilities are available to the site
- A.C. - Access
- C.L. - Centerline
- E.A. - Easement
- P.R. & S. - Public Right-of-Way & Sewerage will be provided by city
- D.E. - Drainage Easement
- F.P. - Foundation Footing
- S.W. - Sidewalk
- C.L.F. - Chain Link Fence
- M.R. - Mechanical equipment shall be screened from view of the street or adjacent residential units with landscaping
- Location of all elements of this Conceptual Plan to be determined at the time of Final Site Plan Approval Permitting

- Light poles located on residential lots along road right of way shall be located at property corners
- M - Indicates Month Unit
- All setbacks will comply with zoning and local development regulations
- All setbacks include knee box for emergency access
- All internal residential vehicular access ways are per the manufacturer & are the perpetual maintenance obligation of the new HOA
- All areas to meet the total Open Space Area calculations per Article IV, Section 23 - 50% 11, should property be returned to Planned Unit Development (PUD)
- All areas to be consistent towards other site calculations per the requirements of Article IV, Section 24 - 51, including but not limited to building site coverage, pervious and impervious calculations, should property be returned to Planned Unit Development (PUD)
- Public Open Space Park Area to be dedicated to City, shall meet towards project concurrency requirements per Article XIII, Section 24 - 175, including but not limited to credit towards the City Park Impact Fee calculation Article XIII, Section 24 - 175 G

LEGEND

- Indicates Open Space Area
- Indicates Townhome Residential Area
- Indicates Single Family Residential Area
- Indicates Oak Tree Easement Drainage Easement Area



REV	REVISIONS	DATE
01	DRG REVISIONS	11/29/17
02	DRG REVISIONS	03/01/18
03	LAYOUT REVISIONS	06/07/18

Design and Entitlement Consultants, LLC
 1402 Royal Palm Beach Blvd, Suite 102
 Royal Palm Beach, FL 33411
 Tel: (561) 707-3410
 Email: info@designandentitlement.com



Oak Tree Property
PulteGroup
 2400 Oak Tree Lane
 Oakland Park, FL 33309

Master Site Plan

SCALE 1" = 150'
 CHECKED BY KDD
 DRAWN BY KDD
 DATE 03/11/17
 FILE SP1
 SHEET **MSP.1**
 1 OF 2 SHEETS



ATTACHMENT 20



Planning, Site and Master Planning, Landscape Architecture, Due Diligence, Project Management
1402 Royal Palm Beach Blvd. Suite 102 Royal Palm Beach, Fl. 33411 561-707-3410

Oak Tree Community Outreach Meeting Summary

1. Preliminary Introductory Meeting with Lake Emerald
 - a. December 14, 2016 at 4:30 pm
 - b. Contact: Olivier Maes
 - c. Location: Lake Emerald Clubhouse
2. Preliminary Introductory Meeting with Oak Tree Estates
 - a. December 14, 2016 at 7 pm
 - b. Contact: Bill Scott
 - c. Location: Lorio Residence
3. Preliminary Introductory Meeting with surrounding HOA's
 - a. January 31, 2017 at 6:30 pm
 - b. Contact:
 1. Anne Sallee – South Royal Palm Acres HOA
 2. Bob Brosseau – Eastland Cove HOA
 3. Norman Berkowitz – Lake Pointe Estates HOA
 4. Michael O'Byrn – Royal Palm Isles HOA
 5. Diane Wendt – Royal Palm Isles HOA
 6. Jack Donnelly – Twin Lakes South HOA
 - c. Location: Fire Station 87
4. **Formal Outreach Meeting (Application Requirement)**
 - a. March 20, 2017 at 6:30 pm
 - b. Contact: All
 - c. Location: Collins Community Center
5. **Formal Outreach Meeting #2 (Application Requirement)**
 - a. March 21st, 2017 at 6:30 pm
 - b. Contact: All
 - c. Location: Fire Station #87
6. **Formal Outreach Meeting #3 (Application Requirement)**
 - a. March 22nd, 2017 at 6:30 pm
 - b. Contact: All
 - c. Location: Collins Community Center
7. Twin Lakes North HOA Meeting – Fort Lauderdale
 - a. April 20, 2017 at 7:30 pm
 - b. Contact: Tina Adams
 - c. Location: Twin Lakes Baptist Church
 - i. ****Canceled.**



8. Oak Tree Estates Committee Meeting
 - a. April 27, 2017 at 11:00 am
 - b. Contact: Bill Scott
 - c. Location: Balbe and Associates

9. Oak Tree Estates Committee Meeting
 - a. July 28, 2017 at 1 am
 - b. Contact: Roseann Flynn
 - c. Location: Balbe and Associates.

10. Oak Tree Estates Committee Meeting
 - a. October 18, 2017 at 6:30 pm
 - b. Contact: Roseann Flynn
 - c. Location: Balbe and Associates.

11. Oak Tree Estates Committee Meeting
 - a. November 8, 2017 at 6:30 pm
 - b. Contact: Roseann Flynn
 - c. Location: Balbe and Associates.

12. Oak Tree Estates Committee Meeting at Roseann F's Office
 - a. December 14, 2017 at 2:30 pm
 - b. Contact: Roseann Flynn
 - c. Location: Balbe and Associates.

13. Pulte
 - a. Oak Tree Estates

14. Pulte
 - a. Oak Tree Estates

15. Formal Community Outreach Meeting
 - a. March 28, 2018
 - b. Contact: All
 - c. Location: Collins Community Center

16. Outreach Meeting
 - a. June 25, 2018
 - b. Contact: Lake Emerald HOA Board
 - c. Lake Emerald Clubhouse

17. Outreach Meeting
 - a. July 5, 2018
 - b. Contact: Lake Pointe Estates
 - c. Lake Pointe Common Area

18. Outreach Meeting – PUD FPS Plat etc applications
 - a. September 25, 2018
 - b. Collins Community Center

ATTACHMENT 21



PARKS AND RECREATION DIVISION • Administrative Offices
950 N.W. 38th St. • Oakland Park, FL 33309-5982 • 954-357-8100 • TTY 954-537-2844 • FAX 954-357-5991

*Winner of the National Gold Medal Award for Excellence in Park and Recreation Management
Accredited by the Commission for Accreditation of Parks and Recreation Agencies (CAPRA)*

MEMORANDUM

September 17, 2018



To: Barbara Blake Boy, Executive Director
Broward County Planning Council

Thru: ^{DAN} Dan West, Director
Parks and Recreation Division

From: John R. Fiore, Planner
Parks and Recreation Division

A blue ink handwritten signature, likely of John R. Fiore, written over the printed name.

Re: **Land Use Plan Amendment Comments**
December 6, 2018 Meeting

The Broward County Parks and Recreation Division has reviewed the proposed amendment to the Broward County Land Use Plan scheduled for the Planning Council's first public hearing at their December 2018 meeting. Our comment is as follows:

PC 19-2 No objections. However, regional park impact fees will be required at the time of platting, for the 405 residential dwelling units which will be permitted if this land use amendment is approved. This development will remove 132.7 acres of recreation and open space land from the City of Oakland Park. The City has a total of 194.23 acres of parks and open space land. This includes 4.65 acres of Broward County's Easterlan Park. 64.5% of their park acreage are lakes, that were former rock pits, with very little or no public access to use the lakes for recreational purposes. The Broward County Parks and Recreation recommends that the developer be required to dedicate at least 8.72 acres of land for recreation and open space that is open to the general public and are not water retention ponds.

If you or your staff has any questions about our comments, please call me at 954-357-8133.

Broward County Board of County Commissioners

Mark D. Bogen • Beam Furr • Steve Geller • Dale V.C. Holness • Chip LaMarca • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine
Broward.org/Parks • Facebook.com/BrowardCountyParks • Twitter.com/BrowardParks • YouTube.com/BrowardCountyParks

ATTACHMENT 22



Public Works Department – Water and Wastewater Services
WATER MANAGEMENT DIVISION

2555 West Copans Road • Pompano Beach Florida 33069 • PHONE: 954-831-0751 • FAX: 954 831-3285



MEMORANDUM

September 18, 2018

TO: Barbara Blake Boy
Executive Director Broward County Planning Council

FROM: Joe Heilman
Broward County Water Management Division

SUBJECT: LAND USE PLAN AMENDMENT
PC 19-2

I have reviewed the information in the package for the referenced Land Use Plan Amendment. The drainage information in the package is essentially correct.

- PC 19-2

Our office has no objections or comments to this amendment.

Respectfully,

A handwritten signature in black ink, appearing to be "JHeilman", written over a light blue horizontal line.

Joe Heilman
Construction Project Manager
Broward County Water Management Division
2555 W. Copans Road, Pompano Beach, FL 33069
Office:(954)-831-0764
E-mail: JHeilman@Broward.org

ATTACHMENT 23

Return to: (enclose self-addressed stamped envelope)

Name: Marla Neufeld, Esq.

Address:

Greenspoon Marder LLP
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

This Instrument Prepared by:

Marla Neufeld, Esq.
Greenspoon Marder LLP
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301



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DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Covenant") made this _____ of _____, 2019, by Blackwood Partners, LLC, a Florida limited liability company, and Blackshore Partners, LLC, a Florida limited liability company, (collectively, "Owner"), which shall be for the benefit of Broward County, a political subdivision organized pursuant to the State of Florida ("County").

WITNESSETH:

WHEREAS, Owner is the fee simple owner of land known located in the City of Oakland Park ("City"), more particularly described in **Exhibit "A"** ("Property"); and

WHEREAS, Owner made an application to the City and County and requested that the City and County change the land use plan designation on the Property to Irregular (2.88) Residential to allow a single family residential development (collectively, "Application"); and

WHEREAS, in connection with the Application, Owner has voluntarily agreed to place a restriction on the development of the Property as set forth below in favor of the County.

NOW, THEREFORE, in consideration of the foregoing premises and the promises and covenants herein contained, Owner hereby declares that the Property shall be subject to the covenants, restrictions, and regulations hereinafter set forth, all of which shall run with the land and which shall be binding upon all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns.

1. Recitations. The recitals set forth above are true and correct and are incorporated into this Covenant by this reference.

2. Covenants. The Owner, its successors and assigns hereby covenant that development on the property is limited to a maximum of 405 dwelling units consisting of 273 detached single family units and 132 attached townhouse units.

3. Amendments. This Covenant shall not be modified or amended or released as to any portion of the Property except by written instrument, executed by the then owner or owners(s) of the portion of the Property affected by such modification, amendment, or release and approved by the County Commission. Any amendment, modification or release of this Covenant shall be recorded in the Public Records of Broward County, Florida, at the then Owner's sole expense.

4. Recordation and Effective Date. This Covenant shall not become effective and shall not be recorded in the Public Records of Broward County, Florida, until after approval by the County of the requested Application and the expiration of all appeal periods or, if an appeal is filed, the conclusion of such appeal in a manner that does not affect the County's approval of the Application. Once recorded, this Covenant shall run with the land for the sole benefit of the County and shall bind all successors-in-interest with respect to the Property. This Covenant shall not give rise to any other cause of action by any parties other than the County, and no parties other than the County shall be entitled to enforce this Covenant. Any failure by the County to enforce this Covenant shall not be deemed a waiver of the right to do so thereafter.

5. Severability; Venue. If any court of competent jurisdiction shall declare any section, paragraph or part of this Covenant invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph or part hereof, and the same shall remain in full force and effect. The agreed upon venue shall be Broward County, Florida.

6. Captions, Headings and Titles. Articles and paragraph captions, headings and titles inserted throughout this Covenant are intended as a matter of convenience only and in no way shall such captions, headings or titles define, limit or in any way affect the subject matter or any of the terms and provisions thereunder or the terms and provisions of this Covenant.

7. Context. Whenever the context requires or admits, any pronoun used herein may be deemed to mean the corresponding masculine, feminine or neuter form thereof, and the singular form of any nouns or pronouns herein may be deemed to mean the corresponding plural form thereof and vice versa.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Owner has executed this Covenant on the day first above written.

Signed, sealed and delivered

BLACKWOOD PARTNERS, LLC, a Florida limited liability company

By: Blackfin Properties & Investments, LLLP, a Florida limited liability limited partnership, manager

By: Blackpool Associates, Inc., a Florida corporation, its general partner

Printed Name: _____

Print Name: _____

By: _____
William M. Murphy, President

STATE OF FLORIDA)
) SS:
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by William M. Murphy, as President of Blackpool Associates, Inc., a Florida corporation, general partner of Blackfin Properties & Investments, LLLP, a Florida limited liability limited partnership, manager of Blackwood Partners, LLC, a Florida limited liability company. He is personally known to me or has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2019.

Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires:

Signed, sealed and delivered

BLACKSHORE PARTNERS, LLC, a Florida limited liability company

By: Blackfin Properties & Investments, LLLP, a Florida limited liability limited partnership, manager

By: Blackpool Associates, Inc., a Florida corporation, its general partner

Printed Name: _____

Print Name: _____

By: _____
William M. Murphy, President

STATE OF FLORIDA)
) SS:
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by William M. Murphy, as President of Blackpool Associates, Inc., a Florida corporation, general partner of Blackfin Properties & Investments, LLLP, a Florida limited liability limited partnership, manager of Blackshore Partners, LLC, a Florida limited liability company. He is personally known to me or has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2019.

Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires:

EXHIBIT A
LEGAL DESCRIPTION
PROPERTY

PARCEL "A", OAK TREE PLAT, AS RECORDED IN PLAT BOOK 177, PAGES 5 THROUGH 7, TOGETHER WITH LOT 17, "FORT LAUDERDALE INDUSTRIAL AIRPARK - SECTION 1", AS RECORDED IN PLAT BOOK 63, PAGE 10, BOTH OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH A PORTION OF SECTION 17, TOWNSHIP 49 SOUTH, RANGE 42 EAST, THE CITY OF OAKLAND PARK, BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF GOLF-TAM VILLAGE, AS RECORDED IN PLAT BOOK 119, PAGE 18 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE N.88°12'55"E. ALONG THE SOUTH LINE OF TAMARAC LAKES SOUTH, AS RECORDED IN PLAT BOOK 62, PAGE 24 OF SAID PUBLIC RECORDS, A DISTANCE OF 826.79 FEET A POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.77°44'26"E., A RADIAL DISTANCE OF 1,246.28 FEET; THENCE SOUTHERLY ALONG THE ARC OF THE WESTERLY RIGHT-OF-WAY LINE OF PROSPECT ROAD, SAID RIGHT-OF-WAY LINE LYING 100.00 FEET WESTERLY OF AND CONCENTRIC TO THE CENTERLINE THEREOF, AS SHOWN ON SAID "FORT LAUDERDALE INDUSTRIAL AIRPARK - SECTION 1", THROUGH A CENTRAL ANGLE OF 01°24'21", A DISTANCE OF 30.58 FEET; THENCE S.88°12'55"W. ALONG A LINE 30.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE SOUTH LINE OF SAID TAMARAC LAKES SOUTH, A DISTANCE OF 30.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL "A", OAK TREE PLAT; THENCE S.53°04'11"E. ALONG THE WEST RIGHT-OF-WAY LINE OF PROSPECT ROAD, AS SHOWN ON SAID OAK TREE PLAT, A DISTANCE OF 46.82 FEET TO A POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.74°57'20"E., A RADIAL DISTANCE OF 1,246.28 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 09°43'05", A DISTANCE OF 211.38 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF LOT 17 OF SAID FORT LAUDERDALE INDUSTRIAL AIRPARK - SECTION 1; THENCE N.01°39'39"W. ALONG SAID WEST LINE, A DISTANCE OF 146.96 FEET A POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.71°43'32"E., A RADIAL DISTANCE OF 1,196.28 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF THE WEST RIGHT-OF-WAY LINE OF PROSPECT ROAD, AS SHOWN ON SAID "FORT LAUDERDALE INDUSTRIAL AIRPARK - SECTION 1", THROUGH A CENTRAL ANGLE OF 32°17'07", A DISTANCE OF 674.09 FEET; THENCE S.88°21'41"W. ALONG THE SOUTH LINE OF SAID LOT 17, A DISTANCE OF 96.42 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.43°06'02"E., A RADIAL DISTANCE OF 1,246.28 FEET; THENCE SOUTHEASTERLY

ALONG THE ARC OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PROSPECT ROAD, AS RECORDED IN DEED BOOK 419, PAGE 362 OF SAID PUBLIC RECORDS, THROUGH A CENTRAL ANGLE OF 31°27'57", A DISTANCE OF 684.44 FEET; THENCE S.78°21'55"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 456.13 FEET; THENCE S.01°50'50"E. ALONG THE WEST RIGHT-OF-WAY LINE OF NORTHWEST 21ST AVENUE (DECKER ROAD), AS RECORDED IN OFFICIAL RECORD BOOK 1769, PAGE 445 OF SAID PUBLIC RECORDS, A DISTANCE OF 917.85 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 17; THENCE S.88°38'22"W. ALONG SAID SOUTH LINE, A DISTANCE OF 3,976.27 FEET; THENCE N.01°37'24"W. ALONG THE EAST LINE OF "M.&S. PROPERTIES PLAT", AS RECORDED IN PLAT BOOK 98, PAGE 29 OF SAID PUBLIC RECORDS, A DISTANCE OF 921.96 FEET TO THE SOUTHWEST CORNER OF SAID GOLF-TAM VILLAGE, AND A POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.88°22'36"E., A RADIAL DISTANCE OF 40.00 FEET; THENCE ALONG THE BOUNDARY OF SAID GOLF-TAM VILLAGE THE FOLLOWING FOUR (4) COURSES AND DISTANCES; THENCE SOUTHEASTERLY, NORTHEASTERLY AND NORTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 242°57'52", A DISTANCE OF 169.62 FEET TO A POINT OF REVERSE CURVATURE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 62°57'52"; THENCE NORTHWESTERLY ALONG THE ARC, A DISTANCE OF 16.48 FEET; THENCE N.01°37'24"W., A DISTANCE OF 360.00 FEET; THENCE N.88°21'41"E., A DISTANCE OF 100.00 FEET TO A POINT OF INTERSECTION WITH A LINE LYING 10.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE EAST LINE OF LOTS 48 THROUGH 54 OF SAID GOLF-TAM VILLAGE; THENCE N.01°37'24"W. ALONG SAID PARALLEL LINE, A DISTANCE OF 526.02 FEET TO A POINT OF INTERSECTION WITH THE BOUNDARY LINE OF SAID GOLF-TAM VILLAGE; THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING TWENTY-NINE (29) COURSES AND DISTANCES; N.88°13'32"E., A DISTANCE OF 70.00 FEET; THENCE N.01°46'28"W., A DISTANCE OF 10.00 FEET; THENCE N.88°13'32"E., A DISTANCE OF 100.00 FEET; THENCE N.01°46'28"W., A DISTANCE OF 80.00 FEET; THENCE N.88°13'32"E., A DISTANCE OF 316.78 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 37°18'06"; THENCE EASTERLY ALONG THE ARC A DISTANCE OF 130.21 FEET TO A POINT OF REVERSE CURVATURE TO THE LEFT HAVING A RADIUS OF 240.00 FEET AND A CENTRAL ANGLE OF 23°34'02"; THENCE SOUTHEASTERLY ALONG THE ARC, A DISTANCE OF 98.72 FEET; THENCE S.39°44'27"E., A DISTANCE OF 30.99 FEET; THENCE S.01°26'29"E., A DISTANCE OF 63.23 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF 94°41'52"; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 198.33 FEET; THENCE N.86°44'37"W., A DISTANCE OF 142.47 FEET; THENCE S.03°15'23"W., A DISTANCE OF 40.00 FEET; THENCE N.86°44'37"W., A DISTANCE OF 10.00 FEET; THENCE N.73°41'30"W., A DISTANCE OF 82.00 FEET; THENCE S.07°06'50"W., A DISTANCE OF 157.92 FEET; THENCE S.15°27'37"E., A DISTANCE OF 148.75 FEET; THENCE S.86°44'37"E., A DISTANCE OF 153.98 FEET; THENCE N.11°38'36"E., A DISTANCE OF 282.95 FEET A THE POINT OF NON TANGENCY WITH A CURVE TO

THE LEFT, OF WHICH THE RADIUS POINT LIES N.03°15'13"E., A RADIAL DISTANCE OF 160.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 62°14'07", A DISTANCE OF 173.79 FEET; THENCE S.01°26'29"E., A DISTANCE OF 360.93 FEET; THENCE N.88°21'41"E., A DISTANCE OF 695.09 FEET; THENCE N.32°09'20"E., A DISTANCE OF 460.00 FEET; THENCE N.57°50'40"W., A DISTANCE OF 100.00 FEET; THENCE N.32°09'20"E., A DISTANCE OF 98.57 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 33°56'25"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 59.24 FEET; THENCE N.01°47'05"W., A DISTANCE OF 39.39 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 39.27 FEET; THENCE S.88°12'55"W., A DISTANCE OF 75.00 FEET; THENCE N.01°47'05"W., A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,061,881 SQUARE FEET/139.1616 ACRES MORE OR LESS.

ATTACHMENT 24

Return to: (enclose self-addressed stamped envelope)

Name: Marla Neufeld, Esq.

Address:

Greenspoon Marder LLP
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

This Instrument Prepared by:

Marla Neufeld, Esq.
Greenspoon Marder LLP
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301



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DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Covenant") made this _____ of _____, 2019, by Blackwood Partners, LLC, a Florida limited liability company, and Blackshore Partners, LLC, a Florida limited liability company, (collectively, "Owner"), which shall be for the benefit of Broward County, a political subdivision organized pursuant to the State of Florida ("County").

WITNESSETH:

WHEREAS, Owner is the fee simple owner of land known located in the City of Oakland Park ("City"), more particularly described in **Exhibit "A"** ("Property"); and

WHEREAS, Owner made an application to the City and County and requested that the City and County change the land use plan designation on the Property to Irregular (2.88) Residential to allow a single family residential development (collectively, "Application"); and

WHEREAS, in connection with the Application, Owner has voluntarily agreed to place a restriction on the development of the Property as set forth below in favor of the County.

NOW, THEREFORE, in consideration of the foregoing premises and the promises and covenants herein contained, Owner hereby declares that the Property shall be subject to the covenants, restrictions, and regulations hereinafter set forth, all of which shall run with the land and which shall be binding upon all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns.

1. Recitations. The recitals set forth above are true and correct and are incorporated into this Covenant by this reference.

2. Covenants. The Owner, its successors and assigns hereby covenant that prior to the issuance of the 365th Certificate of Occupancy for a residential unit on the Property, subject to available right-of-way and permit approval from the applicable governmental entity(ies), Owner

shall construct the following roadway improvements (collectively, the “Roadway Improvements”):

- (1) Prospect Road and NW 21 Ave: Construct a dual westbound left-turn lanes with at least 300 feet (more if possible) of storage. Add corresponding signalization displays to accommodate this dual westbound-left.
- (2) Prospect Road and NW 21 Avenue: Install a corresponding protected-only eastbound-left turn phase. Alternatively, if a sufficient sightline offset can be achieved with respect to new dual westbound left-turn lanes noted in Item 1 above, this may be omitted.
- (3) Prospect Road and NW 21 Avenue: Construct a 200-foot eastbound right-turn storage lane.
- (4) Prospect Road and NW 21 Ave: Add a protected-to-permissive northbound left-turn signal phase.
- (5) On NW 21 Avenue from Prospect Road to NW 44 Street: Create a continuous second through lane linking Prospect Road and NW 44 Street. This will become a southbound drop lane ending at NW 44 Street.

3. Amendments. Except as to a release of covenant upon completion of the Owner obligations as set forth in Section 4, this Covenant shall not be modified or amended or released as to any portion of the Property except by written instrument, executed by the then owner or owners(s) of the portion of the Property affected by such modification, amendment, or release and approved by the County Commission. Any amendment, modification or release of this Covenant shall be recorded in the Public Records of Broward County, Florida, at the then Owner’s sole expense.

4. Release. Provided that Owner, its successors or assigns (together, “Owner Parties”) are pursuing construction of the Roadway Improvements with reasonable diligence, then from time to time Owner Parties may request, and County shall cause a release in the form substantially in compliance with the form attached hereto as **Exhibit “B”** to be executed and recorded in the Public Records of Broward County, Florida (a “Partial Release”), evidencing the partial release of this Covenant from the subject parcels. The intent of this provision is to enable Owner Parties to sell and convey portions of the Property as residential dwelling units. The approval of the release shall not require County Commission approval and may be executed by the County Administrator. Notwithstanding the foregoing, no Partial Release, and no certificate of occupancy, shall be issued for the 365th residential unit as described in Section 2 above unless and until the Roadway Improvements are completed in conformance with the terms of this Covenant. Once the Roadway Improvements are so completed, County shall promptly cause to be executed and recorded a Partial Release for the balance of the Property.

5. Recordation and Effective Date. This Covenant shall not become effective and shall not be recorded in the Public Records of Broward County, Florida, until after approval by the County of the requested Application and the expiration of all appeal periods or, if an appeal is filed, the conclusion of such appeal in a manner that does not affect the County’s approval of the Application. Once recorded, this Covenant shall run with the land for the sole benefit of the

County and shall bind all successors-in-interest with respect to the Property. This Covenant shall not give rise to any other cause of action by any parties other than the County, and no parties other than the County shall be entitled to enforce this Covenant. Any failure by the County to enforce this Covenant shall not be deemed a waiver of the right to do so thereafter.

6. Severability; Venue. If any court of competent jurisdiction shall declare any section, paragraph or part of this Covenant invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph or part hereof, and the same shall remain in full force and effect. The agreed upon venue shall be Broward County, Florida.

7. Captions, Headings and Titles. Articles and paragraph captions, headings and titles inserted throughout this Covenant are intended as a matter of convenience only and in no way shall such captions, headings or titles define, limit or in any way affect the subject matter or any of the terms and provisions thereunder or the terms and provisions of this Covenant.

8. Context. Whenever the context requires or admits, any pronoun used herein may be deemed to mean the corresponding masculine, feminine or neuter form thereof, and the singular form of any nouns or pronouns herein may be deemed to mean the corresponding plural form thereof and vice versa.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Owner has executed this Covenant on the day first above written.

Signed, sealed and delivered

BLACKWOOD PARTNERS, LLC, a Florida limited liability company

By: Blackfin Properties & Investments, LLLP, a Florida limited liability limited partnership, manager

By: Blackpool Associates, Inc., a Florida corporation, its general partner

Printed Name: _____

Print Name: _____

By: _____
William M. Murphy, President

STATE OF FLORIDA)
) SS:
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by William M. Murphy, as President of Blackpool Associates, Inc., a Florida corporation, general partner of Blackfin Properties & Investments, LLLP, a Florida limited liability limited partnership, manager of Blackwood Partners, LLC, a Florida limited liability company. He is personally known to me or has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2019.

Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires:

Signed, sealed and delivered

BLACKSHORE PARTNERS, LLC, a Florida limited liability company

By: Blackfin Properties & Investments, LLLP, a Florida limited liability limited partnership, manager

By: Blackpool Associates, Inc., a Florida corporation, its general partner

Printed Name: _____

Print Name: _____

By: _____
William M. Murphy, President

STATE OF FLORIDA)
) SS:
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by William M. Murphy, as President of Blackpool Associates, Inc., a Florida corporation, general partner of Blackfin Properties & Investments, LLLP, a Florida limited liability limited partnership, manager of Blackshore Partners, LLC, a Florida limited liability company. He is personally known to me or has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2019.

Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires:

EXHIBIT A
LEGAL DESCRIPTION
PROPERTY

PARCEL "A", OAK TREE PLAT, AS RECORDED IN PLAT BOOK 177, PAGES 5 THROUGH 7, TOGETHER WITH LOT 17, "FORT LAUDERDALE INDUSTRIAL AIRPARK - SECTION 1", AS RECORDED IN PLAT BOOK 63, PAGE 10, BOTH OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH A PORTION OF SECTION 17, TOWNSHIP 49 SOUTH, RANGE 42 EAST, THE CITY OF OAKLAND PARK, BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF GOLF-TAM VILLAGE, AS RECORDED IN PLAT BOOK 119, PAGE 18 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE N.88°12'55"E. ALONG THE SOUTH LINE OF TAMARAC LAKES SOUTH, AS RECORDED IN PLAT BOOK 62, PAGE 24 OF SAID PUBLIC RECORDS, A DISTANCE OF 826.79 FEET A POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.77°44'26"E., A RADIAL DISTANCE OF 1,246.28 FEET; THENCE SOUTHERLY ALONG THE ARC OF THE WESTERLY RIGHT-OF-WAY LINE OF PROSPECT ROAD, SAID RIGHT-OF-WAY LINE LYING 100.00 FEET WESTERLY OF AND CONCENTRIC TO THE CENTERLINE THEREOF, AS SHOWN ON SAID "FORT LAUDERDALE INDUSTRIAL AIRPARK - SECTION 1", THROUGH A CENTRAL ANGLE OF 01°24'21", A DISTANCE OF 30.58 FEET; THENCE S.88°12'55"W. ALONG A LINE 30.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE SOUTH LINE OF SAID TAMARAC LAKES SOUTH, A DISTANCE OF 30.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL "A", OAK TREE PLAT; THENCE S.53°04'11"E. ALONG THE WEST RIGHT-OF-WAY LINE OF PROSPECT ROAD, AS SHOWN ON SAID OAK TREE PLAT, A DISTANCE OF 46.82 FEET TO A POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.74°57'20"E., A RADIAL DISTANCE OF 1,246.28 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 09°43'05", A DISTANCE OF 211.38 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF LOT 17 OF SAID FORT LAUDERDALE INDUSTRIAL AIRPARK - SECTION 1; THENCE N.01°39'39"W. ALONG SAID WEST LINE, A DISTANCE OF 146.96 FEET A POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.71°43'32"E., A RADIAL DISTANCE OF 1,196.28 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF THE WEST RIGHT-OF-WAY LINE OF PROSPECT ROAD, AS SHOWN ON SAID "FORT LAUDERDALE INDUSTRIAL AIRPARK - SECTION 1", THROUGH A CENTRAL ANGLE OF 32°17'07", A DISTANCE OF 674.09 FEET; THENCE S.88°21'41"W. ALONG THE SOUTH LINE OF SAID LOT 17, A DISTANCE OF 96.42 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.43°06'02"E., A RADIAL DISTANCE OF 1,246.28 FEET; THENCE SOUTHEASTERLY

ALONG THE ARC OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PROSPECT ROAD, AS RECORDED IN DEED BOOK 419, PAGE 362 OF SAID PUBLIC RECORDS, THROUGH A CENTRAL ANGLE OF 31°27'57", A DISTANCE OF 684.44 FEET; THENCE S.78°21'55"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 456.13 FEET; THENCE S.01°50'50"E. ALONG THE WEST RIGHT-OF-WAY LINE OF NORTHWEST 21ST AVENUE (DECKER ROAD), AS RECORDED IN OFFICIAL RECORD BOOK 1769, PAGE 445 OF SAID PUBLIC RECORDS, A DISTANCE OF 917.85 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 17; THENCE S.88°38'22"W. ALONG SAID SOUTH LINE, A DISTANCE OF 3,976.27 FEET; THENCE N.01°37'24"W. ALONG THE EAST LINE OF "M.&S. PROPERTIES PLAT", AS RECORDED IN PLAT BOOK 98, PAGE 29 OF SAID PUBLIC RECORDS, A DISTANCE OF 921.96 FEET TO THE SOUTHWEST CORNER OF SAID GOLF-TAM VILLAGE, AND A POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.88°22'36"E., A RADIAL DISTANCE OF 40.00 FEET; THENCE ALONG THE BOUNDARY OF SAID GOLF-TAM VILLAGE THE FOLLOWING FOUR (4) COURSES AND DISTANCES; THENCE SOUTHEASTERLY, NORTHEASTERLY AND NORTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 242°57'52", A DISTANCE OF 169.62 FEET TO A POINT OF REVERSE CURVATURE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 62°57'52"; THENCE NORTHWESTERLY ALONG THE ARC, A DISTANCE OF 16.48 FEET; THENCE N.01°37'24"W., A DISTANCE OF 360.00 FEET; THENCE N.88°21'41"E., A DISTANCE OF 100.00 FEET TO A POINT OF INTERSECTION WITH A LINE LYING 10.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE EAST LINE OF LOTS 48 THROUGH 54 OF SAID GOLF-TAM VILLAGE; THENCE N.01°37'24"W. ALONG SAID PARALLEL LINE, A DISTANCE OF 526.02 FEET TO A POINT OF INTERSECTION WITH THE BOUNDARY LINE OF SAID GOLF-TAM VILLAGE; THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING TWENTY-NINE (29) COURSES AND DISTANCES; N.88°13'32"E., A DISTANCE OF 70.00 FEET; THENCE N.01°46'28"W., A DISTANCE OF 10.00 FEET; THENCE N.88°13'32"E., A DISTANCE OF 100.00 FEET; THENCE N.01°46'28"W., A DISTANCE OF 80.00 FEET; THENCE N.88°13'32"E., A DISTANCE OF 316.78 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 37°18'06"; THENCE EASTERLY ALONG THE ARC A DISTANCE OF 130.21 FEET TO A POINT OF REVERSE CURVATURE TO THE LEFT HAVING A RADIUS OF 240.00 FEET AND A CENTRAL ANGLE OF 23°34'02"; THENCE SOUTHEASTERLY ALONG THE ARC, A DISTANCE OF 98.72 FEET; THENCE S.39°44'27"E., A DISTANCE OF 30.99 FEET; THENCE S.01°26'29"E., A DISTANCE OF 63.23 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF 94°41'52"; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 198.33 FEET; THENCE N.86°44'37"W., A DISTANCE OF 142.47 FEET; THENCE S.03°15'23"W., A DISTANCE OF 40.00 FEET; THENCE N.86°44'37"W., A DISTANCE OF 10.00 FEET; THENCE N.73°41'30"W., A DISTANCE OF 82.00 FEET; THENCE S.07°06'50"W., A DISTANCE OF 157.92 FEET; THENCE S.15°27'37"E., A DISTANCE OF 148.75 FEET; THENCE S.86°44'37"E., A DISTANCE OF 153.98 FEET; THENCE N.11°38'36"E., A DISTANCE OF 282.95 FEET A THE POINT OF NON TANGENCY WITH A CURVE TO

THE LEFT, OF WHICH THE RADIUS POINT LIES N.03°15'13"E., A RADIAL DISTANCE OF 160.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 62°14'07", A DISTANCE OF 173.79 FEET; THENCE S.01°26'29"E., A DISTANCE OF 360.93 FEET; THENCE N.88°21'41"E., A DISTANCE OF 695.09 FEET; THENCE N.32°09'20"E., A DISTANCE OF 460.00 FEET; THENCE N.57°50'40"W., A DISTANCE OF 100.00 FEET; THENCE N.32°09'20"E., A DISTANCE OF 98.57 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 33°56'25"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 59.24 FEET; THENCE N.01°47'05"W., A DISTANCE OF 39.39 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 39.27 FEET; THENCE S.88°12'55"W., A DISTANCE OF 75.00 FEET; THENCE N.01°47'05"W., A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,061,881 SQUARE FEET/139.1616 ACRES MORE OR LESS.

EXHIBIT B

Return to: (enclose self-addressed stamped envelope)

Name: Marla Neufeld, Esq.

Address:

Greenspoon Marder, P.A.
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

This Instrument Prepared by:

Marla Neufeld, Esq.
Greenspoon Marder, P.A.
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

**PARTIAL RELEASE OF
DECLARATION OF RESTRICTIVE COVENANTS**

This Partial Release of Declaration of Restrictive Covenant (“Partial Release”) is made by **Broward County, a political subdivision of the State of Florida** (“County”).

WHEREAS, Blackwood Partners, LLC, a Florida limited liability company, and Blackshore Partners, LLC, a Florida limited liability company (collectively, "Owner"), as the then fee simple title owner of the property described on **Exhibit A**, attached hereto (“Property”), entered into that certain Declaration of Restrictive Covenant dated _____ (“Covenant”) in favor of the County, that is recorded at Instrument # _____ in Public Records of Broward County, Florida; and

WHEREAS, pursuant to the terms and provisions of Section 2 of the Covenant, the Owner was required to perform certain roadway improvements (“Obligations”); and

WHEREAS, pursuant to the Covenant, the County is required, at the request and expense of the Owner Parties, to execute a partial release of the Covenant provided that the Owner Parties are performing the Obligations in conformance with the terms of the Covenant; and

WHEREAS, Owner Parties desire that the County as beneficiary of the Covenant release the Covenant as to a portion of the Property by executing this Partial Release to be recorded in the Public Records of Broward County, Florida, pursuant to the terms and conditions as hereinafter set forth; and

WHEREAS, County has found that the Owner Parties are currently in compliance with the Obligations pursuant to the Covenant and accordingly has agreed to execute this Partial Release; and

NOW, THEREFORE, County, intending to be legally bound, hereby state and declare as

follows:

1. The above recitals are true and correct and are incorporated herein. Terms not otherwise defined herein shall have the same meaning set forth in the Covenant.

2. The portion of the Property described in Exhibit "A" hereto is hereby released from the Covenant.

3. This Partial Release shall be construed and governed in accordance with laws of the State of Florida and in the event of any litigation hereunder, the venue for any such litigation, shall be in Broward County, Florida.

4. This Partial Release shall be recorded in the Public Records of Broward County, Florida, whereby recording fees are to be paid by Owner and shall run with the Property and shall be effective upon recording and binding upon and inure to the benefit of the respective successors and assigns of the County, and the respective successors and assigns of Owner.

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IN WITNESS WHEREOF, County has executed this Partial Release on the day first above written.

ATTEST:

BROWARD COUNTY, through its BOARD OF COUNTY COMMISSIONERS

County Administrator and
Ex-Officio Clerk of the
Board of County Commissioners of
Broward County, Florida

By: _____
Printed Name: _____
Title: _____

_____ day of _____, 20__

Approved as to form by
Office of County Attorney
Broward County, Florida
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, FL 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-6968

By _____
Assistant County Attorney

_____ day of _____ 201__

**EXHIBIT A
PARTIAL RELEASE AND TERMINATION
LEGAL DESCRIPTION**

ATTACHMENT 25



March 26, 2019

Barbara Blake Boy
Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, Florida 33301



Re: Oaktree Land Use Plan Amendment PC 19-2

Dear Ms. Blake Boy:

The Applicant for the Oaktree Land Use Plan Amendment has provided an updated Affordable Housing Market Analysis, dated March 7, 2019, in response to Josie Sesodia's request for additional information dated September 19, 2018. The City acknowledges receipt of the analysis based on the required "Recommended Methodology for Supply and Demand Analysis for Broward County's Affordable Housing Market" in order to meet BrowardNext - Broward County Land Use Plan Policy 2.16.2 and Article 5 of the Administrative Rules Document.

The provided analysis uses the methodology required by Section 2.16.2 of the Broward County Land Use Plan and Article 5 of the BrowardNext Administrative Rules Document. It also contains objectives and policies from the current Housing Element of the City's adopted Comprehensive Plan and is therefore satisfactory for submittal in response to the request for additional information. The City intends to update the Comprehensive Plan within the near future through the Evaluation Appraisal Report (EAR) process, which will include consideration of all objectives and policies related to housing. Additional policies related to preserving the existing inventory of affordable housing through municipal programs and incentives to rehabilitate such dwellings will also be updated.

If you need further information or have any questions concerning this application, please contact Pete Schwarz, AICP, Assistant Director at 954-630-4348 or peter.schwarz@oaklandparkfl.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Hebert".

David Hebert
City Manager

An Affordable Housing Market Assessment in the City of Oakland Park, Florida

March 7, 2019



Report Commission

This report was commissioned in order to satisfy BrowardNext County Land Use Plan Policy 2.16.2

for a project that is proposed in the City of Oakland Park, Broward County, Florida. That policy requires that “For amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the Broward County Land Use Plan, Broward County and affected municipalities shall coordinate and cooperate to implement the affected municipality’s chosen policies, methods, and programs to achieve and/or maintain a sufficient supply of affordable housing.”

The City of Oakland Park has adopted a Comprehensive Plan pursuant to Rule 9J-5.010 of the Florida Administrative Code. Within that adoption document, the City has included a Housing Element that sets forth certain goals, objectives, and policies that are supported through a companion Support Document.

As part of a land use plan amendment application, the Broward County Planning Council requires interim updates of the existing supply and demand for affordable housing and the strategies to be utilized to meet the expected needs.

This report estimates the current (2017) demand and projects (to 2023) the future demand for various housing needs.

The report relies on various public and subscription sources of information regarding demographic, economic, market, and housing data that is referenced throughout the report.



Report Summary

Using the Broward County Planning Council’s *Recommended Methodology For Supply and Demand Analysis For Broward County’s Affordable Housing Market (the “methodology”)* , the City of Oakland Park has a small current surplus of affordable housing in the Very Low, Low-Income, and Moderate-Income home ownership bands. By 2023, the City is projected to continue to have surpluses in the Very Low- and Low- Income home ownership bands, but will experience a deficit in the Moderate-income home ownership band.

The methodology demonstrates that rental properties for those at the Very Low Income band are currently in short supply, that demand for these properties will increase while the supply declines, and the gap is worsened. Rental properties in the Low-income Band (80% of Median Household Income) will continue to have a surplus while rentals in the Moderate Band (120% of Median Household Income) are expected to experience a deficit by 2023.

Increasing the availability of housing supply will help to make all housing more affordable.

Methodology

This study examines current housing conditions within the City of Oakland Park, Florida (“the City”), which is generally stated for calendar years 2017/2018 (the latest U.S. Census Bureau American Community Survey data available (CY2017) and the supplemental data source from Esri (CY2018)) and projected to calendar year 2023 using Esri demographic forecasts available for that year.

The Broward County Planning Council engaged Meridian Appraisal Group (MAG) to recommend a methodology for analyzing supply and demand of housing needs throughout Broward County. MAG developed their methodology utilizing published data from the U.S. Census Bureau’s American Community Survey (ACS). This ACS data is available for each municipality in Broward County. The methodology does not describe what methods to use to forecast out the five years required under the Planning Council’s rules. In order to forecast out to the year 2023, we used Esri’s Community Analyst/Business Analyst databases that provide this information using their sources and methods. The MAG methodology is particularly sensitive to Median Household Income and housing stock forecasts. We believe Esri’s forecasts to be reliable and very up-to-date. Median Household Income (MHI) provides the basis for several benchmarks and assumptions. This number is parsed into three bands: Very Low Income (50% of the MHI); Low Income (50.1% to 80% of MHI); and Moderate Income (80.1% to 120% of MHI). All data used is initially derived from updates to information provided by the 2010 Census.

Estimates and Projections of Population, Median Household Income, And Housing Units

The 2017 ACS data for the City of Oakland Park and the Esri estimates for 2018 and its forecasts for 2023 are summarized below:

	2017 ACS Estimates	2018 Esri Estimates	2023 Esri Forecasts
Population	44,085	44,253	46,761
Median Household Income	48,390	47,016	53,081
Housing Units, Total	18,856	20,770	21,839
Housing Units, Occupied	16,505	18,452	19,373

The Broward County Property Appraiser (BCPA) notes that for 2018 there were 19,658 residential dwelling units being assessed for fire protection services¹. Added to this number are dwelling or residential units not assessed or assessed through the mixed use/special use category utilized by BCPA. This is their estimate as of January 1, 2018, which is more than the ACS estimate collection date in 2017. The 2018 Esri estimates of housing units were for a year later and are based upon the ACS 2017 survey, plus Esri’s forecasting methodology². We believe the Esri estimates to be accurate for 2018 for the

¹ Broward County Property Appraiser’s Office web link:
<http://www.bcpa.net/Includes/Downloads/2016/FinalFireSummaries/2018%20Oakland%20Park%20Final%20Fire%20Recap.pdf>

² Esri is an international supplier of geographic information system (GIS) software, web GIS and geodatabase management applications. Esri provides subscriptions to various database information they maintain for their GIS software. Some of those databases contain forecasts based upon proprietary methodology developed and maintained by Esri. Housing units are forecasted by Esri using “[the] recorded change in the housing inventory...cull[ed] from several data sources, including multiple construction data inputs from Metrostudy, data for new manufactured homes placed by state from the Census Bureau, and building permits for permit-issuing places and counties. Numerous independent sources are leveraged to obtain detailed information on housing development data where no building permits exist. Independent estimates of change in occupancy are calculated from USPS residential lists, the American Community Survey, and various state and local data sources. Additionally, data from the Current Population Survey and the Housing Vacancy Survey from the Census Bureau is used to model trends in occupancy.” *Methodology Statement: 2018/2023 Esri US Demographic Updates*, June 2018



estimated number of housing units for the purposes of this report. The addition of the proposed development would increase the supply of housing. ***In the absence of this additional supply, housing costs would likely increase across most affordability bands than if the housing were not constructed.***

Affordable Housing Criteria

The Broward County Land Development Code §5-201 defines Affordable Housing as “Housing for which monthly rents or monthly mortgage payments (including taxes and insurance) do not exceed 30 percent of an amount representing the percentage (very low = 50%; low = 80%; moderate =120%) of the median income limits, as published by the U.S. Department of Housing and Urban Development, adjusted for family size for the households.”

Using the ACS and Esri data and applying that data to the MAG supply and demand model, the “Gap” analysis provided the following estimates of supply, demand, and differences:

Gap Analysis, Meridian Appraisal Group Model Utilizing 2017 American Community Survey Data

2017 HUD Broward County Median Household Income		City of Oakland Park, Florida							
\$64,100			Demand(D)	Supply(S)	No Gap/(Gap)		Demand(D)	Supply(S)	No Gap/(Gap)
Affordable Housing Bands	Income Band	Owner	Owner	Supply / Demand	Income Band	Renter	Renter	Supply / Demand	
0.0% 50.0%	\$0	2,104	2,225	121	\$0	3,227	1,503	(1,723)	
	\$32,050	23.7%	25.1%		\$801	42.3%	20.3%		
50.1% 80.0%	\$32,114	1,615	2,657	1,042	\$803	1,761	3,059	1,299	
	\$51,280	18.2%	29.2%		\$1,282	23.1%	41.3%		
80.1% 120.0%	\$51,344	1,986	2,036	50	\$1,284	1,291	2,419	1,127	
	\$76,920	22.4%	22.9%		\$1,923	16.9%	32.7%		

The MAG model shows surpluses in affordable housing for those who wish to own homes in the Very Low-, Low-, and Moderate-Income bands.

The model also shows deficiencies in the Very Low-income band for rentals. This is not an uncommon finding in an area where housing stocks are expensive and people tend to spend more than 30% of their income on housing and housing-related expenses.

Surpluses currently exist in for renters in the Low Income and Moderate Income bands.

When we applied the Esri forecasted data to this model, we find the following:

Gap Analysis, Meridian Appraisal Group Model Utilizing 2023 Esri Forecasted Data

2023 Est. HUD Broward County Median Household Income		City of Oakland Park, Florida							
\$74,423			Demand(D)	Supply(S)	No Gap/(Gap)		Demand(D)	Supply(S)	No Gap/(Gap)
Affordable	Housing Bands	Income Band	Owner	Owner	Supply/ Demand	Income Band	Renter	Renter	Supply/ Demand
0.0%	50.0%	\$0	2,587	3,270	683		4,456	2,107	(2,350)
		\$37,212	25.5%	32.3%		\$930	48.2%	28.4%	
50.1%	80.0%	\$37,286	2,187	3,185	998	\$932	1,941	4,022	2,080
		\$59,539	21.6%	31.4%		\$1,488	21.0%	54.3%	
80.1%	120.0%	\$59,613	2,250	1,997	(253)	\$1,490	1,523	1,084	(439)
		\$89,308	22.2%	19.7%		\$2,233	16.5%	14.6%	

The model predicts that surpluses are expected for the Very Low- and Low-income bands through 2023, but that a deficit occurs for Moderate-Income homeowners. The Very Low-Income band for rental properties will become even more scarce than they currently are and that a deficit will occur in Moderate-Income rental properties. A surplus will exist in the Low-income rental band. It should be expected that the Very Low-income population will migrate into the Low-Income band surplus, at which point they may become burdened with housing costs. Moderate-income renters will either become burdened or migrate down into the surplus of Very-Low Income properties.



Addressing The Demand For Affordable Housing

The City is in the process of completing a Comprehensive Housing Study which opines that Oakland Park's greatest unmet demand for housing is actually on higher-end housing based on income data. The City is meeting the needs of affordable lower-income housing.

The pattern of affordable housing supply and demand in the City of Oakland Park described above is not unusual and is repeated in many cities through Broward County. Due in part to the City's relatively small population, the City does not directly manage any State or Federal funding dollars for the provision of affordable housing. Any funds that are available for this purpose are directed to Broward County. The Broward County Housing Authority (BCHA) is the primary county agency that receives and administers HUD federal funding for affordable housing programs in Broward County. The Housing Choice Voucher program or Section 8 provides 256 Section 8 rental homes in Oakland Park.

Building Better Communities, Inc. is a non-profit created by the BCHA which is focused on acquisition, development, and/or redevelopment of land and affordable housing. Building Better Communities, Inc. partnered with the Pinnacle Housing Group to develop Oakland Preserve. This development provides 80 garden apartments in Oakland Park with Energy Star applicants and other elements that create an affordable and sustainable community.

Section 24-164 (E) of the City's Land Development Code provides for an expedited site plan review process for affordable housing developments.

In addition, the City’s Comprehensive Plan³ provides for the following to guide the provision of affordable housing in the City:

Objective 3.1 Affordable housing opportunities for very low, low and moderate income households exists in the City of Oakland Park, and the City shall continue to encourage and assist, as appropriate, property owners in the preservation and maintenance of such housing units. The City shall establish a housing program to assist in providing “in-fill” housing to accommodate demand by 2015. “In-fill” is new housing on scattered vacant lots in neighborhoods which are largely developed. The City’s program shall address a variety of housing types and encourage owner occupied units.

Policy 3.1.3 The City’s Development Services Department shall coordinate with private developers, non-profit partnerships, and appropriate governmental agencies, including HUD and the State of Florida Department of Community Affairs, whenever possible, to facilitate implementation of this Element.

Policy 3.1.5 The City shall continue to apply for CDBG funds to provide for the completion of additional improvements including demolition and rehabilitation of existing substandard housing units in the Rock Island Redevelopment Area and designated Community Redevelopment Area in order to increase the supply of quality affordable housing.

Policy 3.1.6 A key component of the City’s affordable/workforce housing program shall be to maintain and rehabilitate existing housing units to preserve the City’s housing supply. The City shall continue to provide incentives to owners of substandard housing to rehabilitate existing housing through coordination with Broward County in the

³ The goals, objectives, and policies cited in this section have been taken from the City’s adopted Comprehensive Plan, as revised, and which can be found at <https://www.oaklandparkfl.gov/DocumentCenter/View/2486/Comprehensive-Plan-Volume-I---2015-PDF>.



implementation of the Broward County Housing Rehabilitation Program and through enforcement of the City's minimum housing code and other code enforcement action in order to maintain or improve the quality of the City's existing housing stock.

Objective 3.2 The City shall enhance its existing affordable/workforce housing programs to increase the supply of affordable housing for very low, low and moderate income households by working with the public and private sectors. Furthermore, the City shall continue to encourage a diversification of housing types, including single-family and multi-family renter and owner-occupied units for all income levels. The City's target is a balance of units and occupants similar to the general demographics of Broward County as a whole, with at least 25 new dwelling units for very low or low income households by 2015 and one-fifth (20 percent) of new dwelling units for very low, low and moderate income households throughout the City, and predominately in the CRA, through 2030.

Policy 3.2.2 The City shall continue to coordinate with the Broward County Housing Finance Agency relating to Watts Estates to encourage its development and to obtain the necessary development orders/permits to allow for the construction of dwelling units affordable to lower income households.

Policy 3.2.7 The City shall retain its bonus density program for affordable units allocated to the City through the Broward County Land Use Plan. The program will be in accordance with the Broward County Planning Council's Administrative Rules Document, and bonus units may be granted for parcels with Commercial future land use map designations and in areas identified in the land development regulations.

Policy 3.2.8 The provision of affordable/workforce housing is a regional issue and the City shall continue to participate in Broward County programs and committees designed to study, plan for and implement housing solutions.



Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
115 S. Andrews Avenue, Room 329K • Fort Lauderdale, Florida 33301 • 954-357-6634 • FAX 954-357-8655

DATE: September 19, 2018
TO: Barbara Blake Boy, Executive Director
Broward County Planning Council
FROM: Josie P. Sesodia, AICP, Director
Planning and Development Management Division
SUBJECT: Broward County Land Use Plan
Review of Proposed Amendment – Oakland Park PC 19-2



The Broward County Planning and Development Management Division staff has reviewed proposed amendment PC 19-2. The subject site is located in Oakland Park, involving approximately 140.7 acres. The amendment proposes:

*Current Designations: 132.7 acres of Recreation and Open Space
6.0 acres of Low-Medium (10) Residential
2.0 acres of Low (5) Residential*

Proposed Designation: Irregular (2.88) Residential

*Estimated Net Effect: Addition of 335 dwelling units (Dwelling units currently permitted by the Broward County Land Use Plan: 70. Total dwelling units proposed: 405)
Reduction of 132.7 acres of Recreation and Open Space use*

Item 7 – Analysis of Natural and Historic Resources

- A. The County’s archaeological consultant determined, based on the available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF), that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity.
- B. Comments and recommendations pertaining to this land use plan amendment for historic/archaeological resources:
 - 1. The City of Oakland Park has jurisdiction over historical resources located within the City. Property owner(s)/agent(s) are advised to contact the municipality to seek project review for compliance with municipal historic preservation regulations.

Contact: Attn: Historic Preservation
Engineering and Community Development
City of Oakland Park
3650 Northeast 12th Avenue
Oakland Park, Florida 33334
Tel.: (954) 630-4348

2. In the event that unmarked burials are discovered, then pursuant to Florida State Statutes, Chapter 872.05, "all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist."

Contact: Broward County Medical Examiner
5301 S.W. 31st Avenue
Fort Lauderdale, Florida 33312
Telephone: (954) 357-5200
Fax: (954) 327-6580
Email: Med_Exam_Trauma@broward.org
Website: <http://www.broward.org/MedicalExaminer>

Item 8 - Affordable Housing

Amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the Broward County Land Use Plan (BCLUP) are subject to the requirements of BCLUP Policy 2.16.2 and Article 5 of the BrowardNEXT Administrative Rules Document ("Rules Document"). Policy 2.16.2 requires the involved municipality to provide those professionally accepted methodologies, policies, and best available data and analysis, which the municipality has used to define affordable housing needs and solutions within the municipality. A total of 70 residential units were previously permitted under the existing Land Use Plan, and this application proposes a total of 405 units (number of units permitted under Irregular 2.88 Residential land use). The request represents a net increase of 335 dwelling units; therefore, Policy 2.16.2 applies to this project.

According to the applicant, the City of Oakland Park does not manage state and/or federal funds; rather, it participates in the County's Community Development Block Grant (CDBG) Program and other County affordable housing initiatives. The City has initiated a program which transfers City-owned lots to qualified applicants to construct single family homes. In addition, the City's adopted Comprehensive Plan includes a housing element that sets forth certain affordable housing goals, objectives and policies.

The applicant also submitted an Affordable Housing Analysis for Oaktree Property, May 2018. The Analysis utilized the methodology referenced in the Rules Document to estimate the supply of affordable housing within the City of Oakland Park for the very low, low, and moderate-income levels, and also provided information regarding owner-occupied and renter housing. Based on 2017 American Community Survey (ACS) data, the Analysis concluded that there is a combined net surplus of 2,044 affordable dwelling units. More specifically, there is a deficit of 25 of moderate income owner-units and 1,852 very low-income rental units, totaling a deficit of 1,877.

The applicant does not propose to designate any units as affordable units. Additionally, the Analysis does not provide future demand/supply forecasts. Although the affordable housing assessment submitted by the City of Oakland Park generally indicates consistency with BCLUP Policy 2.16.2 and Article 5 of the Rules Document, the shortfall of moderate-income owner units and very low-income rental units remains an issue. It is recommended that prior to the second BCLUP Planning Council public hearing, the City of Oakland Park provide additional information regarding the City's future supply of affordable housing and plans to further address the current and any future shortage of affordable owner and rental units, consistent with Article 5.3 of the Rules Document, which requires a minimum 5-year planning horizon.

Item 11 – Redevelopment Analysis

The proposed amendment site is not located within Community Redevelopment Area.

Item 12 – Intergovernmental Coordination

At its closest point, the City of Fort Lauderdale is separated from the amendment site by West Prospect Road. The City of Tamarac is located approximately 675 feet to the north. The City of Lauderdale Lakes is located approximately 1,325 feet to the west.

Complete Streets

Broward County strongly supports Complete Streets and the expansion of bicycle, pedestrian and greenway networks. The amendment site is served by Broward County Transit (BCT) Routes 11, 31, and 55. The 2017-2027 Vision Service Plan component of the BCT Transit Development Plan includes service span, headway improvements, and route extensions for these routes.

The amendment site is bounded by Prospect Road, NW 44th Street, and NW 21st Avenue. Existing pedestrian and bicycle infrastructure surrounding the site could be improved. Specifically, there are no sidewalks adjacent to the amendment site. Bicycle lanes are currently planned to be constructed on Prospect Road adjacent to the amendment site. However, there are no bicycle lanes on NW 44th Street or NW 21st Avenue. PDMD recommends that the amendment site be designed to include safe and convenient connections between the development and the surrounding transportation network. To further enhance the pedestrian and bicycle quality of service, consider including amenities, such as pedestrian-scale lighting, shade trees, bicycle racks/lockers, and bicycle repair stations. For the convenience of future residents and visitors who wish to reduce their carbon footprint, consider providing electric vehicle charging stations at strategic locations within the amendment site.

If you have any questions, please contact Sara Forelle at sforelle@broward.org or 954-357-6635.

- cc: Henry Sniezek, Director, Environmental Protection and Growth Management Department
Ralph Stone, Director, Housing Finance and Community Redevelopment Division
Darby Delsalle, Assistant Director, Planning and Development Management Division
Sara Forelle, AICP, Planning Section Supervisor, Planning and Development Management Division
Susanne Carrano, Senior Planner, Planning and Development Management Division
Heather Cunniff, AICP, Senior Planner, Planning and Development Management Division
Rick Ferrer, Broward County Historic Preservation Officer

JS/slf/hec

ATTACHMENT 26



Environmental Protection and Growth Management Department

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

115 S. Andrews Avenue, Room 329K • Fort Lauderdale, Florida 33301 • 954-357-6634 • FAX 954-357-8655

DATE: April 5, 2019

TO: Barbara Blake Boy, Executive Director
Broward County Planning Council



FROM: Josie P. Sesodia, AICP, Director
Planning and Development Management Division

A handwritten signature in blue ink that reads "Josie P. Sesodia".

SUBJECT: Broward County Land Use Plan
REVISED AFFORDABLE HOUSING COMMENTS for Proposed Amendment –
Oakland Park PC19-2

The Broward County Planning and Development Management Division staff has reviewed proposed amendment PC 19-2. The subject site is located in Oakland Park, involving approximately 140.7 acres. The amendment proposes:

Current Designations: 132.7 acres of Recreation and Open Space
6.0 acres of Low-Medium (10) Residential
2.0 acres of Low (5) Residential

Proposed Designation: Irregular (2.88) Residential

Estimated Net Effect: Addition of 335 dwelling units (Dwelling units currently permitted by the Broward County Land Use Plan: 70. Total dwelling units proposed: 405)
Reduction of 132.7 acres of Recreation and Open Space use

Item 8 - Affordable Housing

Amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the Broward County Land Use Plan (BCLUP) are subject to the requirements of BCLUP Policy 2.16.2 and Article 5 of the BrowardNEXT Administrative Rules Document ("Rules Document"). Policy 2.16.2 requires the involved municipality to provide those professionally accepted methodologies, policies, and best available data and analysis, which the municipality has used to define affordable housing needs and solutions within the municipality. A total of 70 residential units were previously permitted under the existing Land Use Plan, and this application proposes a total of 405 units (number of units permitted under Irregular 2.88 Residential land use). The request represents a net increase of 335 dwelling units; **therefore, Policy 2.16.2 applies to this project.**

According to the applicant, the City of Oakland Park does not manage state and/or federal funds; rather, it participates in the County's Community Development Block Grant (CDBG) Program and other County affordable housing initiatives. The City has initiated a program which transfers City-owned lots to qualified applicants to construct single family homes. In addition, the City's adopted Comprehensive Plan includes a housing element that sets forth certain affordable housing goals, objectives and policies.

The City of Oakland Park submitted to the Planning Council a letter dated March 26, 2019 with an updated Affordable Housing Market Assessment ("Assessment") dated March 7, 2019. The analysis is based on

current 2017 data. The assessment reflects an overall net surplus of 1,916 affordable dwelling units, a result is slightly higher than the initially study submitted with the application. However, it also identifies a deficit for very-low income renter housing supply (-1,723 dwelling units). The 5-year forecasted data (2023) shows a reduction in the surplus, with a net of 719 affordable units overall. The forecast also estimates deficits in the moderate income owner affordable housing supply (-253) and further widening in very-low income (- 2,350) and moderate income (-439) renter dwelling unit bands. The Assessment included the following comments on the affordable housing supply:

- *It should be expected that the Very Low-income population will migrate into the Low-Income band surplus, at which point they may become burdened with housing costs. Moderate-income renters will either become burdened or migrate down into the surplus of Very-Low Income properties.*
- *...this is not an uncommon finding in an area where housing stocks are expensive and people tend to spend more than 30% of their income on housing and housing-related expenses.*

The Assessment references a Comprehensive Housing Study that is being completed by the City, *which opines that Oakland Park's greatest unmet demand for housing is actually on higher-end housing based on income data. The City is meeting the needs of affordable lower-income housing.* This study has not been submitted to the County as part of this amendment application.

The Assessment references several City of Oakland Park comprehensive plan objectives and policies, but does not provide any information about how these policies have been implemented and whether the targets were achieved.

Objective 3.1: The City shall establish a housing program to assist in providing "in-fill" housing to accommodate demand by 2015.

Objective 3.2: The City's target is a balance of units and occupants similar to the general demographics of Broward County as a whole, with at least 25 new dwelling units for very low or low income households by 2015 and one-fifth (20 percent) of new dwelling units for very low, low and moderate income households throughout the City, and predominately in the CRA, through 2030.

Policy 3.2.8: The provision of affordable/workforce housing is a regional issue and the City shall continue to participate in Broward County programs and committees designed to study, plan for and implement housing solutions.

The letter from the City of Oakland Park states that the City *intends to update the comprehensive plan within the near future through the Evaluation Appraisal Report (EAR) process, which will include consideration of all objectives and policies related to housing.* Please note that according to the Florida Department of Economic Opportunity, the City's comprehensive plan was to be updated in 2014 with the next round of updates is in 2019. The Housing Element support document available on the City's website contains tables based on the 2000 census data and the most recent data shown is from 2007.

It should be noted that the Florida International University/Metropolitan Center just released the *2018 Broward County Affordable Housing Needs Assessment*, which includes a detailed review of each municipality. In regard to Oakland Park, the study indicates that currently there are 6,944 cost burdened households in the city and 3,460 severely cost burdened households in the City. Also, there are the following renter unit shortages: 893 extremely-low Income units; 566 very-low income units and 803 low income units. It is suggested that the City evaluate establishing a Housing Trust fund to provide gap financing for new

Barbara Blake-Boy, Broward County Planning Council
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multifamily affordable rental units. This could be done through a number of approaches including inclusionary zoning, linkage fees, and/or other sources of local financing.

The applicant does not propose to designate any units as affordable units. The forecasted shortfalls of moderate-income owner units (-253) and very-low (- 2,350) and moderate income (-439) rental units remain an issue based on the findings of the Assessment that indicate moderate income demand may further deteriorate the supply of very-low and low income dwelling units. Although the affordable housing assessment submitted by the City of Oakland Park generally indicates consistency with BCLUP Policy 2.16.2 and Article 5 of the Rules Document, it is recommended that prior to the BCLUP Planning Council public hearing, the City of Oakland Park be prepared to address how the City has met its policies regarding the future supply of affordable housing and plans to further address the current and any future shortage of affordable owner and rental units, consistent with Article 5.3 of the Rules Document. PDMD staff also respectfully recommends that a copy of the above mentioned Comprehensive Housing Study be submitted to staff for review of findings.

If you have any questions, please contact Sara Forelle at sforelle@broward.org or 954-357-6635.

cc: Henry Sniezek, Director, Environmental Protection and Growth Management Department
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