

# 1670 NE 38<sup>TH</sup> STREET

## Application for Amendment to the City of Oakland Park and Broward County Land Use Plans

September 4, 2024

Prepared By:

**Andrew J. Schein, Esq.**



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1. TRANSMITTAL INFORMATION

- A. Letter of transmittal from municipal mayor or manager documenting that the local government took action by motion, resolution or ordinance to transmit a proposed amendment to the Broward County Land Use Plan. Please attach a copy of the referenced motion, resolution or ordinance. The local government's action to transmit must include a recommendation of approval, denial or modification regarding the proposed amendment to the Broward County Land Use Plan.

**The letter will be provided upon receipt from the City of Oakland Park.**

- B. Name, title, address, telephone number and e-mail address of the local government contact person.

**City of Oakland Park  
Planning & Zoning  
5399 N. Dixie Highway, Suite #2  
Oakland Park, FL 33334  
Contact: Craig Southern, Planning Supervisor  
Ph: 954-630-4423  
Email: Craig.Southern@oaklandparkfl.gov**

- C. Summary minutes from both the local planning agency and the local government public hearings of the transmittal of the Broward County Land Use Plan amendment.

**The minutes will be provided upon receipt from the City of Oakland Park**

- D. Description of public notification procedures followed for the amendment by the local government, including notices to surrounding property owners, advertisements in local publications, signage at proposed site, etc.

**Notice will be provided pursuant to Chapter 163 of the Florida Statutes and the City's notice requirements. The City's notice requirements are found in Section 24-233(D)(6)(e) and Section 24-233(D)(6)(f) of the City's land development code, quoted below:**

**Sec. 24-233(D)(6) Notification**

**“(e) For all other applications for which a public hearing is required, the owners of all lands included in the**

application and the owners of all lands within seven hundred fifty (750) feet of such lands shall be notified by mail of the proposal contained in the application and of the meeting at which such proposal will be scheduled for public review and discussion. When the subject property is developed or proposed to be developed with a single-family home or duplex structure the advertisement radius shall be three hundred (300) feet according to the methods described in this section.

(f) For the purpose of giving notice by mail, the owners shall be deemed to be the persons shown upon the tax records maintained by the Broward County Property Appraiser for the City of Oakland Park as having interest in or relation to the particular property involved.”

In addition to the ordinary notice provisions, the Section 24-163(E) of the City’s land development code requires a neighborhood participation meeting for land use plan amendments. The requirements for this meeting, found in Section 24-163(E)(5), are quoted below:

“The applicant shall schedule one (1) meeting with the target area homeowners associations or individuals prior to the submission of the development permit application. The meeting(s) shall include a presentation and a discussion about the proposed project or request subject to review by the City of Oakland Park. Additional meetings may be scheduled by the applicant. The meeting shall be held at a reasonable time and at a reasonable location. Applications which require city commission action, shall schedule an additional meeting prior to placement on the city commission agenda, if the neighborhood meeting was held more than six (6) months prior to city commission meeting.”

**Applicant held the public meeting on August 21, 2024 in accordance with this requirement.**

- E. Whether the amendment is one of the following:
  - \*Development of Regional Impact
  - \*Small scale development activity (per Florida Statutes)
  - \*Emergency (please describe on separate page)

**This is a small-scale development activity**

2. APPLICANT INFORMATION

- A. Name, title, address, telephone, facsimile number and email of the applicant.

**Andrew J. Schein, Esq.  
Lochrie & Chakas, P.A.  
699 N. Federal Highway, Suite 400  
Fort Lauderdale, FL 33304  
Tel: (954) 617-8919  
Fax: (954) 779-1117**

- B. Name, title, address, telephone, facsimile number and email of the agent.

**Andrew J. Schein, Esq.  
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Fort Lauderdale, FL 33304  
Tel: (954) 617-8919  
Fax: (954) 779-1117**

- C. Name, title, address, telephone, facsimile number and email of the property owner.

**Folio: 494223340070  
Name: Le Rocher Christian Worship Center, Inc.  
1670 NE 38<sup>th</sup> Street  
Oakland Park, FL 33334**

- D. Applicant's rationale for the amendment. The Planning Council requests a condensed version for inclusion in the staff report (about two paragraphs). Planning Council staff may accept greater than two paragraphs, if submitted in an electronic format.

**The Property is the location of the Word of Life Ministries Church, which is looking to move locations. The Property was originally developed in 1968, prior to significant development activity occurring in the surrounding neighborhood. The surrounding neighborhood is predominantly a single-family residential neighborhood.**

**As the church is leaving and the Community Facility land use designation does not provide many reasonable uses for the Property**

(other than a house of worship, which no longer needs the Property), amending the land use designation to match the surrounding area will allow the Property to be redeveloped (rather than remaining vacant) and to fit into the character of the neighborhood.

3. AMENDMENT SITE DESCRIPTION

- A. Concise written description of the general boundaries and gross acreage (as defined by BCLUP) of the proposed amendment.

**Approximately 0.937 net acres/1.1 gross acres of land generally located at 1670 NE 38<sup>th</sup> Street at the southwest corner of NE 38<sup>th</sup> Street and NE 17<sup>th</sup> Avenue.**

- B. Sealed survey, including legal description of the area proposed to be amended.

**Please see Exhibit A: Survey.**

- C. Map at a clearly indicating the amendment's location, boundaries and proposed land uses.

**Please see Exhibit B: Location Map.**

4. EXISTING AND PROPOSED USES

- A. Current and proposed local and Broward County Land Use Plan designation(s) for the amendment site. If multiple land use designations, describe gross acreage within each designation. For Activity Center amendments, the proposed text indicating the maximum residential and non-residential uses must be included.

**The subject site is currently designated Community Facility on the City and Community on the County Land Use Plan. The proposed designation is Low Density Residential (L5) on the City Land Use Plan and Low (5) Residential on the County Land Use Plan.**

**The current land use designations for the properties surrounding the amendment site are provided below:**

TABLE 1 ADJACENT LAND USES		
	City	County
North	Low Density Residential (L5)	Low (5) Residential

<b>South</b>	Low Density Residential (L5)	Low (5) Residential
<b>East</b>	Low Density Residential (L5)	Low (5) Residential
<b>West</b>	Low Density Residential (L5)	Low (5) Residential

- B. Indicate if flexibility provisions of the BCLUP have been used for adjacent areas.

**Flexibility provisions have not been utilized to rezone adjacent areas.**

- C. Existing use of amendment site and adjacent areas.

<b>TABLE 2 EXISTING USES</b>	
<b>Subject Site</b>	Church
<b>North</b>	Single-Family Residential
<b>South</b>	Single-Family Residential
<b>East</b>	Single-Family Residential
<b>West</b>	Single-Family Residential

- D. Proposed use of the amendment site including proposed square footage\* for each non-residential use and/or dwelling unit count. For Activity Center amendments, please provide each existing non-residential use square footage and existing dwelling units for amendment area.

<b>TABLE 3 PROPOSED USES</b>	
<b>SINGLE FAMILY RESIDENTIAL</b>	
<b>Use</b>	<b>Proposed</b>
Residential	5 single-family residential units

- E. Maximum allowable development per adopted and certified municipal land use plans under existing designation for the site, including square footage/floor area ratio/lot coverage/height limitations for each non-residential use and/or dwelling unit count.

**The maximum allowable development will be six (6) residential units under the land use plan and zoning requirements, however due to the site layout, only five (5) houses can be accommodated. The residential units are proposed as detached single-family homes.**

5. ANALYSIS OF PUBLIC FACILITIES AND SERVICES

The items below must be addressed to determine the impact of an amendment on existing and planned public facilities and services. Provide calculations for each public facility and/or service. If more than one amendment is submitted, calculations must be prepared on an individual and cumulative basis.

A. Potable Water Analysis

1. Provide the potable water level of service per the adopted and certified local land use plan, including the adoption date of the 10 Year Water Supply Facilities Plan.

**The City’s 10-Year Water Supply Plan (“WSP”) was adopted by the City Commission on December 16, 2020. The WSP identifies a goal of 95 gallons of potable water per day per resident. However, Oakland Park does not own or operate any water supply plant or potable water treatment facility; Oakland Park utilizes Fort Lauderdale’s Fiveash Water Treatment Plant and Peele-Dixie Water Treatment Plant. The relevant WSP is the City of Fort Lauderdale WSP, adopted by the City of Fort Lauderdale on April 7, 2015. Fort Lauderdale LOS standards are shown below.**

**Table 2  
City of Fort Lauderdale  
Water System Level of Service Standards**

Component	Level Of Service Standard / Goal
Raw Water Supply	Maximum Day Demand with 20 percent of wells out of service for maintenance
Treatment Capacity	Maximum Day with all units in service
Minimum system pressure during peak hour demand with largest pump out of service during non-fire flow conditions	Maintain a minimum of 45 psi in the distribution system
Minimum system pressure during peak hour demand with largest pump out of service during fire flow conditions	Maintain a minimum of 20 psi in the distribution system
Finished Water Pumped Per Capita – 2008 Comprehensive Plan Volume 1, Infrastructure Element	Policies 1.2.2 and 2.3.1 of the Comprehensive Plan Volume 1, Infrastructure Element indicates that the level of service for finished water pumped shall be 197 gallons per capita per day
Finished Water Pumped Per Capita – City Goal	It is the City’s goal to reduce the finished water pumped level of service to 170 gallons per capita per day through conservation by the year 2028

Component	Level Of Service Standard / Goal
Finished Water Storage	Comply with FAC 62-555.320(19): minimum requirement of 25 percent of maximum day demand plus maximum fire flow volume with all tanks in service. Maximum fire flow storage based upon a 5,000 gallons per minute (gpm) fire over a four hour period.
Maximum Distribution System Water Loss	10 Percent of Finished Water Pumped

- 1.
2. Identify the facilities serving the service area in which the amendment is located including current plant capacity, current and committed demand on the plant and SFWMD permitted withdrawal, including expiration date of SFWMD permit. Identify the wellfield serving the service area in which the amendment is located including permitted withdrawal and expiration date the permit.

**Oakland Park relies on the City of Fort Lauderdale’s two (2) potable water treatment plans: Fiveash WTP and Peele-Dixie WTP. Fiveash WTP treats water from the Prospect Wellfield and Peele-Dixie WTP treats water from the Dixie Wellfield. The table below lists the plant capacities and permitted withdrawals.**

<b>TABLE 4 PLANT CAPACITY &amp; PERMITTED WITHDRAWAL</b>	
Current Plant Capacity – Peele-Dixie	12.0 MGD
SFWMD Permitted Withdrawal – Peele-Dixie	15 MGD
Current Plant Capacity – Fiveash	70 MGD*
SFWMD Permitted Withdrawal - Fiveash	43.43 MGD

**\*Note that Fiveash design capacity is permitted at 70 MGD, but plant staff indicates that capacity may be limited to 60 MGD. Total combined plant capacity is therefore either 72 MGD or 82 MGD.**

Both the Prospect and Dixie Wellfields pull from the Biscayne Aquifer. The City of Fort Lauderdale has a 20-year Consumptive Use Permit from the SFWMD, Permit No. CUP #06-00123-W (“CUP”). The CUP permits Fort Lauderdale to draw 52.55 MGD per day on an annual average day basis from the Biscayne Aquifer. The maximum withdrawals from the Dixie Wellfield are 15 MGD and the maximum withdrawals from the Prospect Wellfield are 43.43 MGD. The CUP was issued on September 11, 2008 and is set to expire on September 11, 2028.

Under the City of Fort Lauderdale’s Waster Supply Plan, the projected demand, including the demand from Oakland Park, is a total of 47 MGD in 2035. Therefore, with a total allowance of 52.55 MGD under the CUP and total plant capacities of either 72 or 82 MGD, the potable water needs will be met for current and future populations through at least 2035.

3. Identify the net impact on potable water demand, based on adopted level of service resulting from the proposed amendment. Provide calculations, including anticipated demand per s.f.\* or d.u.

The City of Oakland Park does not have separate calculations for water or wastewater demand by use; pursuant to discussions with Chris Lips, Assistant Public Works Director for the City of Oakland Park, Applicant utilized the City of Fort Lauderdale’s ERC formulas and Broward County’s conversion factors.

<b>TABLE 5 POTABLE WATER IMPACT</b>		
<i>Use</i>	<i>Calculation</i>	<i>Total</i>
<b>CURRENT</b>		
Church	2,719 SF x 47 GPD per 1,000 SF	= 128 GPD
<b>PROPOSED</b>		
Single-Family Residential	6 units x 1 ERC = 6 ERCs x 199 GPD	= 1,194 GPD

Change	+ 1,066 GPD
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4. Correspondence from potable water provider verifying the information submitted as part of the application on items 1-3 above. Correspondence must contain name, position and contact information of party providing verification.

**Name:** Chris Lips  
**Position:** Assistant Public Works Director  
**Agency:** City of Oakland Park, Public Works  
**Ph:** 954-630-4441      **Email:** ChrisL@Oaklandparkfl.gov  
**Address:** 3801 NE 5<sup>th</sup> Avenue, Oakland Park, FL 33334

**See also Exhibit C**

**B. Sanitary Sewer Analysis**

1. Identify whether the amendment site or a portion is currently and/or proposed to be serviced by septic tanks.

**The site is not proposed to be served by septic tanks.**

2. Provide the sanitary sewer level of service per the adopted and certified local land use plan.

**The City's adopted level of service standards for sanitary sewer is 150 gallons per day per resident.**

3. Identify the sanitary sewer facilities serving the amendment site including the current plant capacity, current plus committed demand on plant capacity, and planned plant capacity.

**It is our understanding that the City of Fort Lauderdale George T. Lohmeyer Wastewater Treatment Plan will provide sanitary sewer service. The following table identifies current plant capacity, current plus committed demand on plant capacity, and planned plant capacity.**

<b>TABLE 4 SANITARY SEWER DEMAND AND CAPACITY George T. Lohmeyer WWTP</b>	
Plant Capacity	56.6 MGD

Current + Committed Plant Demand	43.59 MGD + 1.47 MGD = 45.06 MGD
Planned Plant Capacity	None planned; Peak Operational Capacity = 93.5 MGD
Source: George T. Lohmeyer Wastewater Treatment Plant Capacity Update, Fort Lauderdale City Commission, June 6, 2023	

- Identify the net impact on sanitary sewer demand resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot\* or dwelling unit.

The below table identifies the net impact on sanitary sewer demands resulting from the proposed amendment.

TABLE 5 SANITARY SEWER IMPACT		
<i>Use</i>	<i>Calculation</i>	<i>Total</i>
<b>CURRENT</b>		
Church	2,719 SF X 38 GPD per 1,000 SF gross building area	= 103.322 GPD
<b>PROPOSED</b>		
Single-Family Residential	6 units x 142 GPD per unit	= 852 GPD
<b>Change</b>		<b>+ 749 GPD</b>

- Identify the projected plant capacity and demand for the short and long range planning horizons as identified within the local government’s adopted comprehensive plan. Provide demand projections and information regarding planned plant capacity expansions including year, identified funding sources and other relevant information.

See table 10 below.

TABLE 6 PROJECTED PLANT CAPACITY & DEMAND SANITARY SEWER George T. Lohmeyer WWTP		
	2025	2035
Projected Plant Capacity	56.6 MGD	56.6 MGD
Projected Plant Demand	43.1 MGD AADF <sup>1</sup>	45.6 MGD AADF <sup>1</sup>
Planned Plant Expansions	TBD	
Funding Sources	N/A	
Source: <sup>1</sup> Fort Lauderdale Comprehensive Utility Strategic Master Plan Table WW8-1		

regarding

**There are ongoing discussions at the City of Fort Lauderdale  
future plans expansions, but nothing official.**

- 6. Correspondence from sewer provider verifying information submitted as part of the application on items 1-4. Correspondence must contain name, position and contact information of party providing verification.

**Name:** Chris Lips  
**Position:** Assistant Public Works Director  
**Agency:** City of Oakland Park, Public Works  
**Ph:** 954-630-4441      **Email:** ChrisL@Oaklandparkfl.gov  
**Address:** 3801 NE 5<sup>th</sup> Avenue, Oakland Park, FL 33334

**See also Exhibit C**

C. Solid Waste

- 1. Provide the adopted level of service standard for the municipality in which the amendment is located.

**The adopted level of service standard in the City of Oakland Park is 8 pounds per capita per day with bi-weekly pickup.**

- 2. Identify the solid waste facilities serving the service area in which the amendment is located including the landfill/plant capacity, current plus committed demand on landfill/plant capacity, and planned landfill/plant capacity.

**The City of Oakland Park disposes solid waste at Waste Connections, 1751 SW 43<sup>rd</sup> Terrace, Deerfield Beach, 33442.**

<b>TABLE 7 SOLID WASTE FACILITIES</b>	
<b>Capacity</b>	382 acres
<b>Current + Committed Demand</b>	6,000 tons per day
<b>Planned Capacity</b>	Additional 24 acres
Source: Monach Hill Landfill LUPA Presentation, January 23, 2024	

- 3. Identify the net impact on solid waste demand resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

<b>TABLE 8 SOLID WASTE IMPACT</b>		
<i>Use</i>	<i>Calculation</i>	<i>Total</i>
<b>CURRENT</b>		
Church	2,719 SF x 1 lb per 100 SF <sup>2</sup>	= 27.9 lbs/day
<b>PROPOSED</b>		
Single Family	6 units x 8.9 lbs per unit	= 53.4 lbs/day
		<b>Change</b>
<small><sup>2</sup> The City does not produce solid waste generation rates for churches; 1 lb per 100 SF is the rate for office uses</small>		<b>+ 25.5 lbs/day</b>

4. Correspondence from the solid waste provider verifying that capacity is available to serve the amendment area the information submitted as part of the application on items 1-3 above. Correspondence must contain name, position and contact information of party providing verification.

**See Exhibit "D".**

**Name:** Jason Pepitone  
**Agency:** Deerfield Beach Recycling and Transfer Station  
**Address:** 150 NE 2<sup>nd</sup> Avenue, Deerfield Beach, FL 33441  
**Ph:** 954-574-1311

D. Drainage Analysis

1. Provide the adopted level of service standard for the service area in which the amendment is located.

**For drainage (roadway crown) – 10-year 3-day storm;  
For drainage (finished Floor) – floor elevation above 100 yr. 3-day storm. finished floor shall be no lower than the highest of:**

1. One (1) foot above the FEMA Flood Insurance Rate Base Flood Elevation; or
2. The 100-year flood elevation as determined by the Broward County 100-year Flood Criteria Map; or
3. Twelve (12) inches above the adjacent road crown for residential development and six (6) inches above the adjacent road crown for nonresidential development.

2. Identify the drainage district and drainage systems serving the amendment area.

**The property is not located in a special drainage district.**

3. Identify any planned drainage improvements, including year, funding sources and other relevant information.

**None**

4. Indicate if a Surface Water Management Plan has been approved by, or an application submitted to, the SFWMD and/or any independent drainage district, for the amendment site. Identify the permit number(s), or application number(s) if the project is pending, for the amendment site. If an amendment site is not required to obtain a SFWMD permit, provide documentation of same.

**If required, the project will receive a SFWMD permit prior to obtaining permits from the City.**

5. If the area in which the amendment is located does not meet the adopted level of service and there are no improvements planned (by the unit of local government or drainage authority) to address the deficiencies, provide an engineering analysis which demonstrated how the site will be drained and the impact on the surrounding properties. The information should include the wet season water level for the amendment site, design storm elevation, natural and proposed land elevation, one hundred year flood elevation, acreage for proposed water management retention area, elevations for buildings, roads and years, storage and runoff calculations for the design storm and estimated time for flood waters to recede to the natural land elevation.

**Development within the site will be required to meet the drainage standards of the City, Broward County Department of Planning and Environmental Protection, and the South Florida Water Management District. The amendment site will meet the adopted level of service for development within the site.**

6. Correspondence from local drainage district verifying information submitted as part of the application (1-5 above). Correspondence must contain name, position and contact information of party providing verification.

**See Exhibit E.**

**Name:** Chris Lips  
**Position:** Assistant Public Works Director  
**Agency:** City of Oakland Park, Public Works  
**Ph:** 954-630-4441  
**Address:** 3801 NE 5<sup>th</sup> Avenue, Oakland Park, FL 33334

E. Recreation and Open Space Analysis

1. Provide the adopted level of service standard for the service area in which the amendment is located and the current level of service.

**3 acres per 1,000 population**

2. For amendments which will result in an increased demand for “community parks” acreage, as required by the Broward County Land Use Plan, an up-to-date inventory of the municipal community parks inventory must be submitted.

**The increase of a maximum of six (6) houses is not expected to trip thresholds for additional parks. According to the 2020 Decennial Census, the City’s population is 44,229 people, which would require a total of ~132.6 acres of parks. Pursuant to Table 7-1 of the City’s Comprehensive Plan, Volume II, the City had 182.37 acres of parks, far exceeding the requirement.**

3. Identify the net impact on demand for park acreage, as defined by the Broward County Land Use Plan, resulting from this amendment.

<b>TABLE 9 PARKS IMPACT</b>		
<i>Use</i>	<i>Calculation</i>	<i>Total</i>
<b>CURRENT</b>		
Church	N/A	= 0 acres
<b>PROPOSED</b>		
Single-Family Residential	6 units x 3.38 people per unit <sup>3</sup> = ~20 people x .003 acres per person	= 0.06 acres
<b>Change</b>		<b>+ 0.06 acres</b>

<sup>3</sup>Pursuant to the 2020 Decennial Census, the average family and household size in Oakland Park is 3.38 people

4. Identify the projected “community parks” acreage needs based on the local government’s projected build-out population.

**See Table 7-3 from the City’s Comprehensive Plan, Volume II below.**

**Table 7-3 - 2006, 2015, and 2030 Local Park Acreage Need/Demand and Deficiencies/(Surplus) Based on Local Park Acreage Standards in the Broward County Land Use Plan**

Total Acreage of Parks in Oakland Park in 2005		182.37 acres	
Total Acreage of Parks in Oakland Park in 2015		183.74 acres	
Broward County Standard		3.0 acres/1,000 residents	
Year	Population	Need/Demand (in acres)	Deficiency/(Surplus) (in acres)
2006	43,739	131.22	(51.15)
2015	49,752	149.26	(34.48)
2030	60,121	180.36	(2.01)

Source: Carter & Burgess, Inc., 2007

Note: Based on population estimates and projections as shown in the Future Land Use Element.

5. As applicable, describe how the local government and/or applicant are addressing Broward County Land Use Plan Policies 2.5.4 and 2.5.5 (a. through e.), regarding the provision of open space.

***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.*

**Response: N/A, this LUPA will not result in the loss of open space.**

***POLICY 2.5.5 Amendments to the Broward County Land Use Plan containing golf courses, including closed golf courses, shall address 2.5.5 a. through e.***

**Response: N/A**

F. Traffic Circulation Analysis

1. Identify the roadways impacted by the proposed amendment and indicate the number of lanes, current traffic volumes, adopted level of service and current level of service for each roadway.

**The Property abuts NE 38<sup>th</sup> Street and NE 17<sup>th</sup> Avenue. Both NE 17<sup>th</sup> Avenue and NE 38<sup>th</sup> Street are two-lane, bi-directional local streets. There are no adopted level of service standard for NE 17<sup>th</sup> Street. The current level of service standard for NE 38<sup>th</sup> Street at this location is C-Stable Flow.**

2. Identify the projected level of service for the roadways impacted by the proposed amendment for the long-range planning horizon. Utilize average daily and p.m. peak hour traffic volumes per Broward County MPO plans and projections.

**For NE 38<sup>th</sup> Street, the p.m. peak hour traffic volume count is 450 vehicle trips and the average daily is 5,700 vehicle trips.**

3. Planning Council staff will analyze traffic impacts resulting from the amendment. You may provide a traffic impact analysis for this amendment - calculate anticipated average daily and p.m. peak hour traffic generation for the existing and proposed land use designations. If the amendment reflects a net increase in traffic generation, identify access points to/from the amendment site and provide a distribution of the additional traffic on the impacted roadway network and identify the resulting level of

service change for the short (5 year) and long range planning horizons.

**The following calculations are based on the 11<sup>th</sup> Edition of the ITE Trip Generation Manual.**

**Average daily existing: 2,719 SF church use x 7.6 daily trips per 1,000 SF = 20.66 daily trips**

**Average p.m. peak existing: 2,719 SF x 0.49 trips per 1,000 SF = 1.33 trips**

**Average daily proposed: 6 units x 9.43 trips per unit = 56.58 daily trips**

**Average p.m. peak proposed: 6 units x 0.94 per unit = 5.64 trips**

4. Provide any transportation studies relating to this amendment, as desired.

**None provided at this time as this is a minor amendment.**

G. Mass Transit Analysis

1. Identify the mass transit modes, existing and planned mass transit routes and scheduled service (headway) serving the amendment area within one-quarter of a mile.

**BCT Route 10 runs on Federal Highway approximately 1,600 feet from the property. BCT Route 50 runs on Federal Highway approximately 2,200 feet from the property.**

2. Describe how the proposed amendment furthers or supports mass transit use.

**This amendment is for single-family homes and is not expected to have any impact, positive or negative, on mass transit use.**

3. Correspondence from transit provider verifying the information submitted as part of the application on items 1-2 above. Correspondence must contain name, position and contact information of party providing verification.

**See Exhibit F**

<b>Name:</b>	Barney McCoy
<b>Agency:</b>	Broward County Transit Division
<b>Position:</b>	Assistant General Manager – Service and Strategic Planning
<b>Email</b>	BAMccoy@broward.org
<b>Address:</b>	1 N. University Dr, Plantation FL 33324
<b>Ph:</b>	954-357-8369

H. PUBLIC EDUCATION ANALYSIS

Please be advised that the Planning Council staff will request from The School Board of Broward County (SBBC), as per Policy 2.15.2 of the BCLUP, an analysis of the impacts of the amendment on public education facilities. Per SBBC Policy 1161, the applicant will be subject to a fee for the analysis and review of the land use plan application. The applicant should contact the Growth Management Section of the SBBC to facilitate this review and determine the associated fees.

1. Public School Impact Application

**To be provided with submittal to Broward County Planning Council.**

2. Identify the existing public elementary and secondary education facilities serving the area in which the amendment is located.

**To be provided.**

3. The associated fee in the form of a check made payable to the SBBC.

**To be provided.**

6. ANALYSIS OF NATURAL AND HISTORIC RESOURCES

Indicate if the site contains, is located adjacent to or has the potential to impact any of the natural and historic resource(s) listed below, and if so, how they will be protected or mitigated. Planning Council staff will request additional

information from Broward County regarding the amendment's impact on natural and historic resources.

- A. Historic sites or districts on the National Register of Historic Places or locally designated historic sites.

**N/A**

- B. Archaeological sites listed on the Florida Master Site File.

**N/A**

- C. Wetlands

**N/A**

- D. Local Areas of Particular Concern as Identified within the Broward County Land Use Plan.

**N/A**

- E. Priority Planning Area map and Broward County Land Use Plan Policy 2.21.1 regarding sea level rise.

**N/A**

- F. "Endangered" or "threatened species" or "species of special concern" or "commercially exploited" as per the Florida Fish and Wildlife Conservation Commission (fauna), the U.S. Fish and Wildlife Service (flora and fauna), or the Florida Department of Agriculture and Consumer Services (fauna). If yes, identify the species and show the habitat location on a map.

**None that applicant is aware of.**

- G. Plants listed in the Regulated Plant Index for protection by the Florida Department of Agriculture and Consumer Services.

**None that applicant is aware of.**

- H. Wellfields – Indicate whether the amendment is located within a wellfield protection zone of influence as defined by Broward County Code, Chapter 27, Article 13 "Wellfield Protection." If so, specify the protected zone and any provisions, which will be made to protect the wellfield

**The property is not within a wellfield protection zone of influence.**

- I. Soils – Describe whether the amendment will require the alteration of soil conditions or topography. If so, describe what management practices will be used to mitigate the area’s natural features

**No soil alteration is expected.**

- J. Beach Access – Indicate if the amendment is ocean-front. If so, describe how public beach access will be addressed.

**N/A**

7. AFFORDABLE HOUSING

Describe how the local government is addressing Broward County Land Use Plan Policy 2.16.2, consistent with Article 5 of this document.

**N/A, this amendment proposes to add less than 100 residential units.**

8. LAND USE COMPATIBILITY

Describe how the amendment is consistent with existing and planned future land uses in the area (including adjacent municipalities and/or county jurisdictions). Identify specific land development code provisions or other measures that have or will be utilized to ensure land use compatibility.

**The land use designation of the property is currently inconsistent with the surrounding area. This amendment is to change the land use designation of the property to match the surrounding area.**

9. HURRICANE EVACUATION ANALYSIS

(Required for amendments located in a hurricane evacuation zone as identified by the Broward County Emergency Management Agency). Provide a hurricane evacuation analysis based on the proposed amendment, considering the number of permanent and seasonal residential dwelling units (including special residential facilities) requiring evacuation, availability of hurricane shelter spaces, and evacuation routes and clearance times. The hurricane evacuation analysis shall be based on the best available data/modeling techniques as identified by the Broward County Emergency Management Agency.

**The property is not located within a hurricane evacuation zone.**

10. REDEVELOPMENT ANALYSIS

Indicate if the amendment is located in an identified Redevelopment (i.e., Community Redevelopment Agency, Community Development Block Grant) area. If so, describe how the amendment will facilitate redevelopment and promote approved redevelopment plans.

**The property is not in a CRA or CDBG area.**

11. INTERGOVERNMENTAL COORDINATION

Indicate whether the proposed amendment site is adjacent to other local governments.

**The property is not located adjacent to other local governments.**

12. PUBLIC OUTREACH

Describe how the applicant and/or local government notified and coordinated with adjacent property owners, master associations, homeowner associations, etc.

**Applicant held a public participation meeting on August 21<sup>st</sup>, 2024 and noticed the public participation meeting to all association presidents in the vicinity.**

13. CONSISTENCY WITH GOALS, OBJECTIVES AND POLICIES

A. DESCRIBE CONSISTENCY WITH HIGHLIGHTED REGIONAL ISSUES AND POLICIES OF THE BROWARD COUNTY LAND USE PLAN

**This amendment is only to change the use of the property from a church to a maximum of 6 single-family homes. Although a small change, any addition of single-family homes in single-family residential areas helps to meet the demand for such homes, helping to drive down the costs and increase affordability.**

**As this is a minor amendment, this amendment is not expected to have much impact on any of the policies in the comprehensive plan.**

B. CONSISTENCY WITH GOALS, OBJECTIVES, AND POLICIES OF THE CITY LAND USE PLAN

FUTURE LAND USE ELEMENT

**Goal 1 of the Future land use plan is to protect and enhance the single-family residential areas of the City. By changing the use from a use that is not consistent with the surrounding single-family area, this amendment will further this goal.**

**Objective 1.8 is to encourage the construction of at least 50 single family homes by the year 2015. Although it's 2024, this amendment will further the City's goal and objectives of creating more single-family homes.**

14. ADDITIONAL SUPPORT DOCUMENTS

- A. Other support documents or summary of support documents on which the proposed amendment is based.

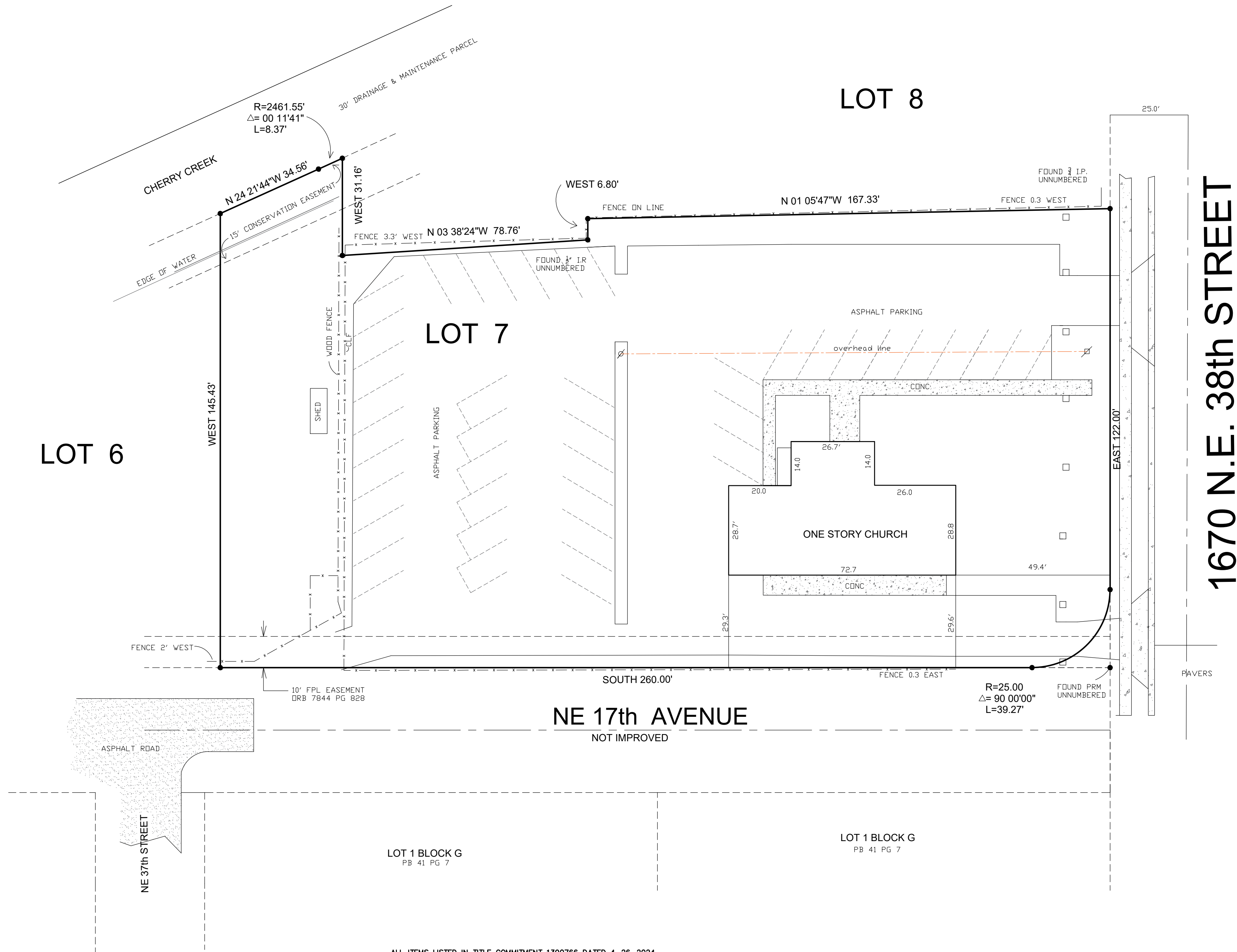
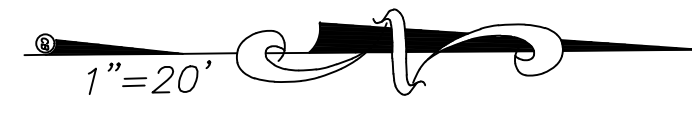
**Not applicable.**

- B. Any proposed voluntary mitigation or draft agreements.

**Not applicable.**

**Exhibit "A"**

**Survey**



ALL ITEMS LISTED IN TITLE COMMITMENT 1390766 DATED 4-26-2024 THAT EFFECT THIS SURVEY ARE SHOWN HEREON AND ARE AS FOLLOWS

ITEMS 1 THROUGH 4 ARE NOT PLOTTABLE IN NATURE  
 ITEM 5 PLAT BOOK 103 PG 39 ARE AS SHOWN HEREON  
 ITEM 6 ORB 5683 PG 692 NOT APPLICABLE TO THIS SURVEY  
 ITEM 7 ORB 7844 PG 828 FPL EASEMENT AS SHOWN HEREON  
 ITEM 8 THROUGH 11 NOT PLOTTABLE IN NATURE

Lot 7, MANDOLIN WOODS, according to the plat thereof as recorded in Plat Book 103, Page 39, Public Records of Broward County, Florida.

- 1) BEARINGS SHOWN HEREON ARE ASSUMED
- 2) NO ABSTRACT OR TITLE SEARCH WAS PERFORMED TO DISCOVER THE EXISTENCE OF ANY EASEMENTS OR RESTRICTIONS OF RECORD.
- 3) ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 1988 ALL ELEVATION SHOWN HEREON ARE RELATIVE THERETO
- 4) NO BELOW GROUND IMPROVEMENTS, FOOTERS, FOUNDATIONS OR UTILITIES HAVE BEEN LOCATED OR SHOWN ON THIS SURVEY.

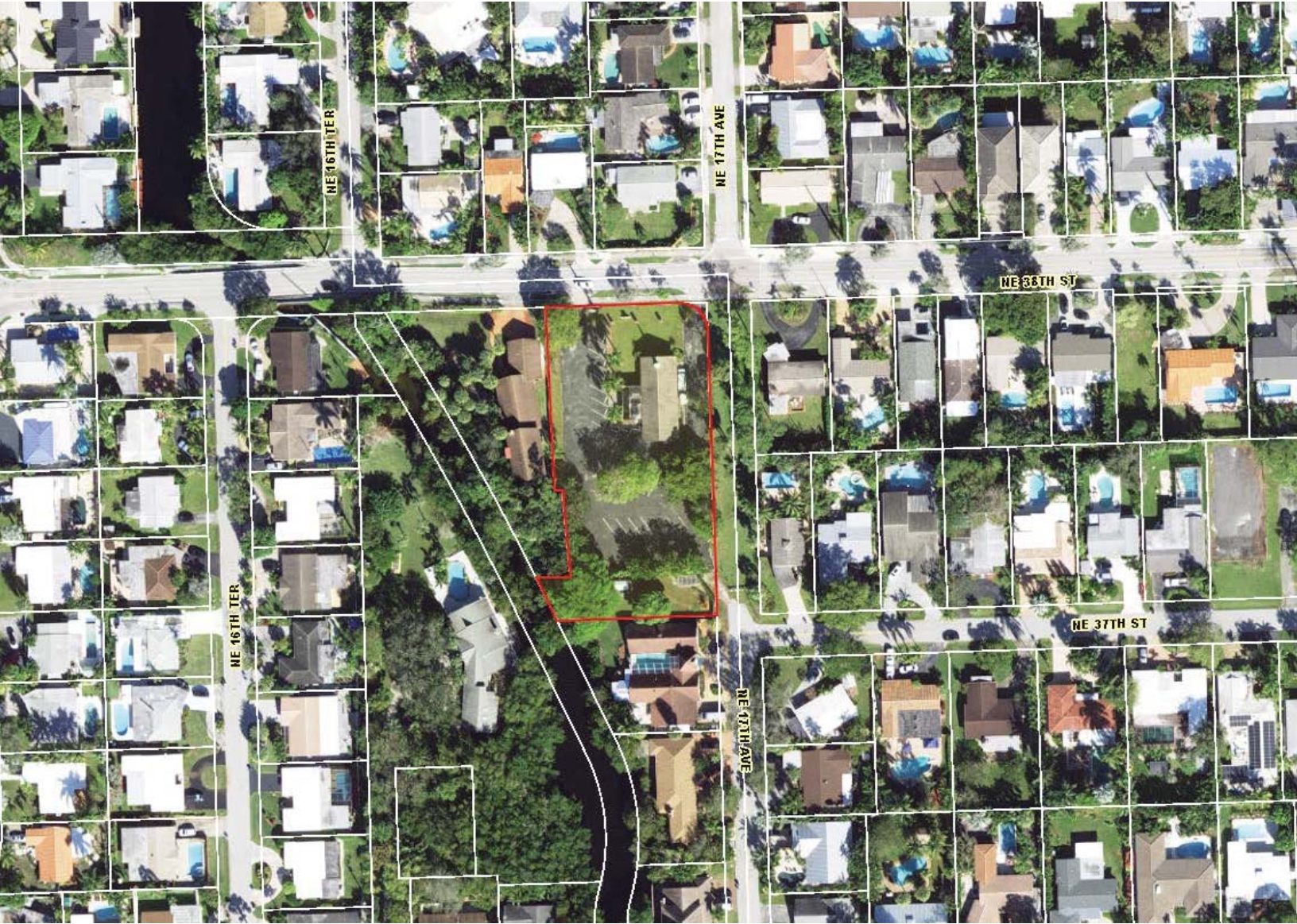
DRB = official record book	TRAN = transformer pad	P.B. = plat book	P = plat	P.G. = page
C.B.S. = concrete block structure	F.P.L. = Florida power and light	TYP = typical	B = power pole	I.R. = iron rod
P.C.C. = point of compound curve	CH = concrete monument	R/W = right-of-way	M = MEASURED	R = radius
P.C.P. = permanent control point	P.R.C. = point of reverse	Δ = central angle	IP. = IRON PIPE	D = deed
P.D.C. = point of commencement	P.I. = point of intersection	⊙ = bearing base line	RP = radius point	D/S = offset
P.B. = point of beginning	P.T. = point of tangency	⊛ = not field measured	L = ARC LENGTH	CDNC = concrete
D/E = drainage easement	WPF = wood privacy fence	⊛ = not field measured	ESMT. = easement	CALC. = calculated
C.M.P. = corrugated metal pipe	CHATT = chattahoochee	ELEV = elevation	U/E = utility easement	ALUM. = aluminum
R.L.S. = registered land surveyor	CLF = chain link fence	PC. = point of curvature	PRM. = permanent reference monument	
L.B. = licensed business				



 801 S.E. 6th Ave., Suite 203 Delray Beach, FL 33483 Phone: 61-243-4624 Fax: 243-4869	CERTIFIED TO:
	AUTHORIZATION NUMBER LB6504 I HEREBY CERTIFY THAT THE SKETCH OF BOUNDARY SURVEY SHOWN HEREON MEETS THE STANDARD OF PRACTICE SET FORTH IN CHAPTER 12, PART 1, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 117.027, FLORIDA STATUTES.
HARRY A. BURGESS Surveyor	signed by Harry A. Burgess Date: 2024.06.05 10:23:17 -04'00'
FLOOD ZONE: AE 5, AH 5 & X MAP NO: 1201100386H, MAP DATE: 8-18-2014 DATE: 5-31-2024 JOB NO. 5-24-021 REVISED	NOT VALID UNLESS SEALED WITH EMBOSSED SURVEYOR'S SEAL

SS  
2024.06.05  
10:23:17 -04'00'

**Exhibit "B"**  
**Location Map**



**Exhibit "C"**

**Potable Water and Sanitary Sewer Correspondence**



April 10, 2024

Lochrie & Chakas P.A.  
Attn: Andrew J. Schein, Esq.  
699 N. Federal Highway, Suite 400  
Fort Lauderdale, FL 33304

**RE: Water & Sanitary Sewer Availability  
Proposed Residential Development  
1670 NE 38<sup>th</sup> Street**

Dear Mr. Schein:

Please consider this letter as confirmation that the City of Oakland Park possesses adequate capacity to accommodate the aforementioned project's requirements for both potable water and sanitary sewer services. This assurance is based on the information provided by your office, indicating that the proposed development will entail a projected use of 1,194 gallons per day (gpd) for potable water and 852 gpd for wastewater. It is noted that the project involves the demolition of an existing church, which currently demands 128 gpd for water and 103 gpd for sewer services. Consequently, the net increase in flow for this project is estimated to be approximately 1,066 gpd for water and 749 gpd for wastewater.

Adjacent to the subject property, the City maintains potable water facilities, including an eight-inch (8") water main situated within NE 38th Street, as well as another eight-inch (8") water main within the unimproved right-of-way of NE 17th Avenue. Furthermore, the City possesses an eight-inch (8") sanitary sewer main running through the center of NE 38th Street.

It is important to clarify that this letter serves to verify the capacity of water and sewer infrastructure exclusively and should not be construed as authorization for accessing or traversing private property to connect to public utilities. Additionally, it should be noted that utility easements will be requisite for water and sewer mains or services constructed within private properties.

Please let me know if you need any additional information.

Sincerely,

A handwritten signature in blue ink that reads "Chris Lips".

Chris Lips  
Assistant Public Works Director

**Exhibit "D"**

**Solid Waste Correspondence**

**VIA EMAIL (jason.pepitone@wasteconnections.com)**

Deerfield Beach Recycling and Transfer Station  
Waste Connections  
150 NE 2<sup>nd</sup> Avenue  
Deerfield Beach, FL 33441

**RE: Service Confirmation for a Change of Land Use**

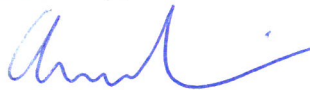
Dear Mr. Pepitone:

I represent the contract purchaser of the property located at 1670 NE 38<sup>th</sup> Street, Oakland Park, FL 33334, Broward County Property Appraiser Folio No. 494223340070 (the "Property"). The Property is currently the location of a 2,719 SF church.

My client is proposing to change the use of the property from a 2,719 SF church to six (6) single-family residential homes (the "Application"). As part of the Application, we are required to obtain confirmation from your division that the Deerfield Beach Recycling and Transfer Station has adequate capacity to serve the change of use from 2,719 SF of church uses to six (6) single-family residential homes.

At your earliest convenience, please provide confirmation that there is adequate solid waste capacity to serve the six (6) single-family homes in the Application. Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,



Andrew Schein

## Andrew Schein

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**From:** Jason Pepitone <jason.pepitone@wasteconnections.com>  
**Sent:** Thursday, September 5, 2024 6:57 AM  
**To:** Andrew Schein  
**Subject:** Re: Service Confirmation for Change of Use

Andrew, we have the capacity.

JP  
Sent from my iPhone

On Sep 4, 2024, at 7:00 PM, Andrew Schein <aschein@lochrielaw.com> wrote:

Hi Jason, I'm reaching out to you for confirmation that the Deerfield Beach Recycling and Transfer Station has adequate capacity to serve a project in Oakland Park. I've attached a letter to this regard. It's a very small project – changing the property from a 2,719 SF church to six (6) single-family homes – but the City still needs confirmation from your department. Please let me know if this is something that you can provide.

Thank you,

**Andrew J. Schein, Esq.**

<image001.jpg>

phone 954.779.1119 | fax 954.779.1117 | direct 954.617.8919  
699 N. Federal Highway, Suite 400, Fort Lauderdale, FL 33304

<Letter to J. Pepitone re Solid Waste Confirmation.pdf>

**Exhibit "E"**

**Drainage Correspondence**

**VIA EMAIL (ChrisL@oaklandparkfl.gov)**

Assistant Public Works Director  
City of Oakland Park  
3801 NE 5<sup>th</sup> Avenue  
Oakland Park, FL 33334

**RE: Service Confirmation for a Land Use Plan Amendment**

Dear Mr. Lips:

I represent the contract purchaser of the property located at 1670 NE 38<sup>th</sup> Street, Oakland Park, FL 33334, Broward County Property Appraiser Folio No. 494223340070 (the "Property"). The Property is currently the location of a 2,719 SF church.

My client is proposing to change the use of the property from a 2,719 SF church to six (6) single-family residential homes (the "Application"). As part of the Application, we are required to obtain confirmation from your division that there is adequate drainage capacity to serve the change of use from 2,719 SF of church uses to six (6) single-family residential homes.

At your earliest convenience, please provide confirmation that there is adequate drainage to serve the six (6) single-family homes in the Application. Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,



Andrew Schein

**Exhibit "F"**

**BCT Correspondence**

**VIA EMAIL (BAMcoy@broward.org)**

Barney McCoy, Assistant General Manager  
Service and Strategic Planning  
Broward County Transit Division  
1 N. University Drive  
Plantation, FL 33324

**RE: Service Confirmation for a Land Use Plan Amendment**

Dear Mr. McCoy:

I represent the contract purchaser of the property located at 1670 NE 38<sup>th</sup> Street, Oakland Park, FL 33334, Broward County Property Appraiser Folio No. 494223340070 (the "Property"). The Property is currently the location of a 2,719 SF church.

My client is proposing to change the use of the property from a 2,719 SF church to six (6) single-family residential homes (the "Application"). As part of the Application, we are required to obtain confirmation of the mass transit routes and services surrounding the site.

At your earliest convenience, please provide confirmation that mass transit routes exist in proximity to the Property. Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,



Andrew Schein



Transportation Department  
**Service and Strategic Planning Division**  
1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8382

**VIA EMAIL**

January 23, 2025

Andrew Schein, Esq.  
Lochrie & Chakas, P.A.  
699 N. Federal Highway, Suite 400  
Fort Lauderdale, FL 33304

RE: Land Use Plan Amendment (LUPA) – 1670 NE 38<sup>th</sup> St, Oakland Park - Transit Verification Letter

Dear Mr. Schein,

Broward County Transit (BCT) has reviewed correspondence dated January 9, 2025, regarding the proposed LUPA for 1670 NE 38<sup>th</sup> St in Oakland Park, FL, folio #494223340070 for current and planned transit service. There is no transit service provided within a quarter mile of the amendment site and no planned expansion at this time.

As part of the Transportation Surtax, BCT will be implementing fixed route bus improvements, including shorter headways and increased span of service on weekdays and weekends, in addition to new service types like demand-response. The development of the subject property will be considered for its support in the utilization of public transit services by increasing the employment opportunities along US 27 in the city of Southwest Ranches. BCT is in the process of conducting a Comprehensive Operational Analysis (COA). The subject property will be noted as a key area of development for possible service expansion and/or new service once it is completed in conjunction with a transit service market analysis.

Please be advised that the needs of any existing or future bus stops located adjacent or within the amendment site will be addressed during the project's development review process.

Please feel free to call me at 954-357-5481 or email me at [dacohen@broward.org](mailto:dacohen@broward.org) if you require any additional information or clarification on this matter.

Sincerely,

*Daniel Cohen*

Daniel Cohen

Service Planner

Service and Strategic Planning – Broward County Transit