

## **Executive Summary**

### **Release of Declaration of Restrictive Covenants Regarding Land Use Plan Amendment PC 04-22 Golf-Tam, Inc.**

Golf-Tam, Inc. Land Use Plan Amendment (LUPA) PC 04-22 consists of approximately 5 acres and is located west of Prospect Road and east of NW 26<sup>th</sup> Terrace in the City of Oakland Park. In 2004, Golf-Tam, Inc. proposed a land use change from Low (5) Residential and Park and Recreation to Low-Medium (10) Residential to permit the development of 30 townhouse residential units on the site. The District's review of the proposal indicated that the development would generate a total of 4 additional students (2 elementary, 1 middle, and 1 high school). Schools affected during the review period, the 2003-04 school year, were Oriole Elementary, Lauderdale Lakes Middle, and Boyd Anderson High Schools; and at that time, it was determined that mitigation was due for the anticipated students at the elementary, middle, and high school levels.

On August 30, 2005, Golf-Tam, Inc. voluntarily committed to provide mitigation to address 4 additional students (2 elementary, 1 middle, and 1 high) attributed to the overcrowded schools by paying, in one lump sum, the total cost of Student Station Cost Factors for 4 students plus the applicable school impact fee for 10 single-family units that were permitted on the site. Golf-Tam, Inc. memorialized the mitigation commitment via execution and recordation of a Declaration of Restrictive Covenants (DRC) (BK 40448, Pages 864 - 880). On November 15, 2015, Golf-Tam, Inc. executed and recorded an Amended DRC (BK 40917, Pages 1604-1614) containing the same mitigation commitment as in the original DRC.

The property was never developed as envisioned in LUPA PC 04-22. Subsequently, Blackwood Partners, LLC and Blackshore Partners, LLC purchased the 5-acre parcel (LUPA PC 04-22) as part of the 140.7-acre Oak Tree Golf Course property acquisition. Blackwood Partners, LLC and Blackshore Partners, LLC filed LUPA PC 19-2 with Broward County for the entire 140.7-acre parcel to change its current land use designation to Irregular (2.88) Residential. New development plans under LUPA PC 19-2 now envisions single-family homes on the 5-acre parcel (LUPA PC 04-22) that are subject to the DRC.

On April 8, 2019, Blackwood Partners, LLC and Blackshore Partners, LLC. via its agent requested a Release of the property from the DRC. Therefore, it is recommended that the School Board approve the Release of the DRC regarding the voluntary mitigation commitment for LUPA PC 4-22, Golf-Tam, Inc.