

## **Executive Summary**

### **Release of Declaration of Restrictive Covenants Regarding Land Use Plan Amendment PC 07-04, Stirling Davie, LLC**

Stirling Davie, LLC, Land Use Plan Amendment (LUPA) PC 07-04 consists of approximately 5.2 acres and is located on Davie Road Extension and south of Stirling Road in the City of Hollywood. In 2006, Stirling Davie, LLC proposed a land use change from Commercial to Medium (16) Residential to permit the development of 80 townhouse (all three or more bedroom) residential units on the site. The Broward County Public Schools (BCPS) review of the proposal indicated that the development would generate a total of 22 additional students (11 elementary, 5 middle, and 6 high school). Schools affected during the review period, the 2006-07 school year, were Driftwood Elementary, Driftwood Middle, and Hollywood Hills High School; and at that time, it was determined that mitigation was due for the anticipated additional 11 elementary school students.

In 2015, Stirling Davie, LLC, changed the approved residential unit mix from 80 townhouse (all three or more bedroom) to 83 garden apartment (all two-bedroom) residential units. In 2015, Stirling Davie, LLC, voluntarily committed to provide mitigation to address additional student impact by paying the maximum school impact fee due for the 83-garden apartment (all two-bedroom) residential units. Subsequently, Stirling Davie, LLC, memorialized the mitigation commitment via the execution and recordation of a Declaration of Restrictive Covenant (Instr. # 112786180, Pages 1 – 9). In the same year, Stirling Davie, LLC, paid a total of \$314,570 in total mitigation due for the 83 garden apartment (all two-bedroom) units.

In April 2020, the current owner of the subject property, Triangle Professional Building Corporation, a Florida Corporation has requested via its agent that the referenced DRC be released of record. Staff recommends that the School Board approve the Release of the DRCs regarding the voluntary mitigation commitment for LUPA PC 07-04, Stirling Davie, LLC.