




TO: Josie P. Sesodia, AICP, Director
Broward County Planning and Development Management Division

FROM: Barbara Blake Boy, Executive Director 

RE: Request to Release the Declaration of Restrictive Covenants for Adopted Broward County Land Use Plan Amendment PC 04-22, located in the City of Oakland Park (Oak Tree Property Redevelopment)

DATE: September 18, 2019

This memorandum is in response to your request for comments regarding the referenced Declaration of Restrictive Covenants (DRC) for Broward County Land Use Plan (BCLUP) amendment PC 04-22.

You have indicated that the applicant is requesting to release the voluntary commitment related to student station mitigation fees. Said voluntary commitment was proffered to mitigate projected impacts to public schools at the time PC 04-22 was approved (i.e. December 14, 2004).

Planning Council staff is of the opinion that the issue of releasing the applicant's previous voluntary commitment is at the pleasure of the Broward County Commission.

Further, Planning Council staff notes that although this is not a land use plan amendment application in process, it was a part of PC 19-2, which amended the overall 140 +/- acre property and included the referenced parcel, at which time the Broward County School Board noted the existing Educational Mitigation Agreement and that it would need to be released or modified. As such, the foregoing are staff comments and not recommendations of the Broward County Planning Council board.

BBB:JMB

cc: David Hebert, City Manager
City of Oakland Park

Jennifer Frastai, Director, Engineering & Community Development Department
City of Oakland Park

Andrew Maurodis, Esquire, Counsel
Broward County Planning Council

Maite Azcoitia, Esquire, Deputy County Attorney
Broward County Attorney's Office