

**Draft ORDINANCE NO. O-2019-XXX**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, APPROVING AN APPLICATION BY BLACKWOOD PARTNERS, LLC & BLACKSHORE PARTNERS, LLC FOR REZONING FROM OS, OPEN SPACE DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT WITH ACCOMPANYING MASTER DEVELOPMENT PLAN, IN ACCORDANCE WITH SECTION 24-54(H), TO ENABLE A RESIDENTIAL DEVELOPMENT WITH 405 HOMES AND COMMON BUILDINGS AND INFRASTRUCTURE FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF NW 21ST AVENUE AND NW 44TH STREET AND WITH ADDITIONAL FRONTAGE ON PROSPECT ROAD, AS MORE PARTICULARLY AND LEGALLY DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AND CONTAINING 140.7 GROSS ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, Application #CD18-21PUD was filed for real property located in Oakland Park, Florida by Blackwood Partners, LLC and Blackshore Partners, LLC to rezone the property located at the northwest corner of the intersection of N.W. 21st Avenue and N.W. 44th Street with additional frontage along Prospect Road , as more particularly and legally described in Exhibit A, from OS, Open Space to PUD, Planned Unit Development; and

**WHEREAS**, the City of Oakland Park Future Land Use Map designates this real property for Irregular Density at 2.88 dwelling units per acre; and

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1           **WHEREAS**, rezoning from OS, Open Space To PUD, Planned Unit  
2     Development is consistent with the permitted uses and density requirements as identified  
3     in the City of Oakland Park Comprehensive Plan; and

4           **WHEREAS**, the proposed rezoning to PUD, Planned Unit Development with  
5     the accompanying Master Development Plan is compatible with the surrounding uses;  
6     and

7           **WHEREAS**, said application with its accompanying Master Development Plan  
8     was heard and considered before the Oakland Park Planning and Zoning Advisory Board  
9     and the City Commission of the City of Oakland Park, Florida, and at the said public  
10    hearings all objections, if any, were heard;

11  
12           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**  
13    **OF THE CITY OF OAKLAND PARK, FLORIDA THAT:**

14           **SECTION 1.** That the forgoing “WHEREAS” clauses are hereby ratified and  
15    confirmed as being true and correct and are hereby made a part of this Ordinance upon  
16    adoption thereof.

17           **SECTION 2.** The City Commission, of the City of Oakland Park, Florida, after  
18    hearing any and all comments and objections made during the course of duly advertised  
19    and scheduled public hearings hereby finds that this rezoning request is consistent with  
20    the following goals, objectives, and policies of the City of Oakland Park Comprehensive  
21    Plan:

22    Objective 1.7: Use the Land Development Code to implement land use policies that  
23    correspond to the categories on the Future Land Use Map.

24    Policy 1.7.1: Land use densities and intensities shall be consistent with the Future Land  
25    Use Map, Section 3 of the Land Use Implementation.

26    Policy 1.11.1 The City shall continue to regulate the land use categories as depicted on  
27    the future land use map according to the Land Use implementation section of this  
28    Comprehensive Plan, consistent with the Broward County Land Use Plan.

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1           **SECTION 3.** The City Commission of the City of Oakland Park, Florida, hereby  
2 approves the rezoning request filed by Blackwood Partners, LLC and Blackshore  
3 Partners, LLC to rezone the property described in the Legal Description herein from OS,  
4 Open Space to PUD, Planned Unit Development, for real property located at the  
5 northwest corner of the intersection of N.W. 21st Avenue and N.W. 44th Street with  
6 additional frontage along Prospect Road, as more particularly and legally described in  
7 Exhibit A.

8  
9           **SECTION 4.** The accompanying Oak Tree Master Development Plan as  
10 prepared by Design and Entitlement Consultants and delivered to the City on June 28,  
11 2019 and dated June 20, 2019, but with the most recent revision date of June 28, 2019,  
12 is hereby approved as attached hereto and made a part hereof.

13           **SECTION 5.** The City Manager is hereby authorized to sign the Unified Control  
14 Agreement as required for Planned Unit Developments.

15           **SECTION 6.** All Recommended Conditions of Approval in the Agenda Item  
16 Report are adopted as part of this Ordinance.

17           **SECTION 7.** If any clause, section or other part of this Ordinance shall be held  
18 by any Court of competent jurisdiction to be unconstitutional or invalid, such  
19 unconstitutional or invalid part shall be considered as eliminated and in no way affecting  
20 the validity of the other provisions of this Ordinance.

21           **SECTION 8.** All Ordinances or parts of Ordinances in conflict herewith are  
22 hereby repealed to the extent of such conflicts.

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1           **SECTION 9.** This Ordinance shall be effective upon its passage and adoption  
2   by the City Commission of the City of Oakland Park.  
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1 PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,  
2 FLORIDA, ON FIRST READING, THIS , DAY OF , 2019.  
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5 M. SPARKS \_\_\_\_\_  
6 M. CARN \_\_\_\_\_  
7 J. BOLIN \_\_\_\_\_  
8 T. LONERGAN \_\_\_\_\_  
9 S. GUEVREKIAN \_\_\_\_\_  
10

11  
12 PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
13 OAKLAND PARK, FLORIDA, ON SECOND READING, THIS , DAY OF  
14 , 2019.  
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24 CITY OF OAKLAND PARK, FLORIDA  
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29 \_\_\_\_\_  
30 MAYOR SARA GUEVREKIAN

31 M. SPARKS \_\_\_\_\_  
32 M. CARN \_\_\_\_\_  
33 J. BOLIN \_\_\_\_\_  
34 T. LONERGAN \_\_\_\_\_  
35 S. GUEVREKIAN \_\_\_\_\_  
36

37 ATTEST:  
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42 \_\_\_\_\_  
RENEE M. SHROUT, CMC, CITY CLERK

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LEGAL NOTE:  
I hereby certify that I have approved the form of this Ordinance (O-2018-XXX):

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DONALD J. DOODY, CITY ATTORNEY

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1     **Exhibit A**

2     **Legal Description**  
3

4     DESCRIPTION

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

12  
13    BEGINNING AT THE NORTHEAST CORNER OF GOLF-TAM VILLAGE, AS  
14    RECORDED IN PLAT BOOK 119, PAGE 18 OF THE PUBLIC RECORDS OF  
15    BROWARD COUNTY, FLORIDA; THENCE N.88°12'55"E. ALONG THE  
16    SOUTH LINE OF TAMARAC LAKES SOUTH, AS RECORDED IN PLAT  
17    BOOK 62, PAGE 24 OF SAID PUBLIC RECORDS, A DISTANCE OF 826.79  
18    FEET A POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF  
19    WHICH THE RADIUS POINT LIES N.77°44'26"E., A RADIAL DISTANCE OF  
20    1,246.28 FEET; THENCE SOUTHERLY ALONG THE ARC OF THE  
21    WESTERLY RIGHT-OF-WAY LINE OF PROSPECT ROAD, SAID RIGHT-OF-  
22    WAY LINE LYING 100.00 FEET WESTERLY OF AND CONCENTRIC TO THE  
23    CENTERLINE THEREOF, AS SHOWN ON SAID "FORT LAUDERDALE  
24    INDUSTRIAL AIRPARK - SECTION 1", THROUGH A CENTRAL ANGLE OF  
25    01°24'21", A DISTANCE OF 30.58 FEET; THENCE S.88°12'55"W. ALONG A  
26    LINE 30.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND  
27    PARALLEL WITH THE SOUTH LINE OF SAID TAMARAC LAKES SOUTH, A  
28    DISTANCE OF 30.00 FEET TO THE NORTHEAST CORNER OF SAID  
29    PARCEL "A", OAK TREE PLAT; THENCE S.53°04'11"E. ALONG THE WEST  
30    RIGHT-OF-WAY LINE OF PROSPECT ROAD, AS SHOWN ON SAID OAK  
31    TREE PLAT, A DISTANCE OF 46.82 FEET TO A POINT OF NON  
32    TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT  
33    LIES N.74°57'20"E., A RADIAL DISTANCE OF 1,246.28 FEET; THENCE  
34    SOUTHERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, THROUGH  
35    A CENTRAL ANGLE OF 09°43'05", A DISTANCE OF 211.38 FEET TO A  
36    POINT OF INTERSECTION WITH THE WEST LINE OF LOT 17 OF SAID  
37    FORT LAUDERDALE INDUSTRIAL AIRPARK - SECTION 1; THENCE  
38    N.01°39'39"W. ALONG SAID WEST LINE, A DISTANCE OF 146.96 FEET A  
39    POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH  
40    THE RADIUS POINT LIES N.71°43'32"E., A RADIAL DISTANCE OF 1,196.28  
41    FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF THE WEST  
42    RIGHT-OF-WAY LINE OF PROSPECT ROAD, AS SHOWN ON SAID "FORT

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1 LAUDERDALE INDUSTRIAL AIRPARK - SECTION 1", THROUGH A  
2 CENTRAL ANGLE OF 32°17'07", A DISTANCE OF 674.09 FEET; THENCE  
3 S.88°21'41"W. ALONG THE SOUTH LINE OF SAID LOT 17, A DISTANCE OF  
4 96.42 FEET TO THE POINT OF NON TANGENCY WITH A CURVE TO THE  
5 LEFT, OF WHICH THE RADIUS POINT LIES N.43°06'02"E., A RADIAL  
6 DISTANCE OF 1,246.28 FEET; THENCE SOUTHEASTERLY ALONG THE  
7 ARC OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PROSPECT ROAD,  
8 AS RECORDED IN DEED BOOK 419, PAGE 362 OF SAID PUBLIC  
9 RECORDS, THROUGH A CENTRAL ANGLE OF 31°27'57", A DISTANCE OF  
10 684.44 FEET; THENCE S.78°21'55"E. ALONG SAID RIGHT-OF-WAY LINE, A  
11 DISTANCE OF 456.13 FEET; THENCE S.01°50'50"E. ALONG THE WEST  
12 RIGHT-OF-WAY LINE OF NORTHWEST 21ST AVENUE (DECKER ROAD),  
13 AS RECORDED IN OFFICIAL RECORD BOOK 1769, PAGE 445 OF SAID  
14 PUBLIC RECORDS, A DISTANCE OF 917.85 FEET TO A POINT OF  
15 INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 17; THENCE  
16 S.88°38'22"W. ALONG SAID SOUTH LINE, A DISTANCE OF 3,976.27 FEET;  
17 THENCE N.01°37'24"W. ALONG THE EAST LINE OF "M.&S. PROPERTIES  
18 PLAT", AS RECORDED IN PLAT BOOK 98, PAGE 29 OF SAID PUBLIC  
19 RECORDS, A DISTANCE OF 921.96 FEET TO THE SOUTHWEST CORNER  
20 OF SAID GOLF-TAM VILLAGE, AND A POINT OF NON TANGENCY WITH A  
21 CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.88°22'36"E.,  
22 A RADIAL DISTANCE OF 40.00 FEET; THENCE ALONG THE BOUNDARY  
23 OF SAID GOLF-TAM VILLAGE THE FOLLOWING FOUR (4) COURSES AND  
24 DISTANCES; THENCE SOUTHEASTERLY, NORTHEASTERLY AND  
25 NORTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF  
26 242°57'52", A DISTANCE OF 169.62 FEET TO A POINT OF REVERSE  
27 CURVATURE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET AND A  
28 CENTRAL ANGLE OF 62°57'52"; THENCE NORTHWESTERLY ALONG THE  
29 ARC, A DISTANCE OF 16.48 FEET; THENCE N.01°37'24"W., A DISTANCE  
30 OF 360.00 FEET; THENCE N.88°21'41"E., A DISTANCE OF 100.00 FEET TO  
31 A POINT OF INTERSECTION WITH A LINE LYING 10.00 FEET EAST OF (AS  
32 MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE EAST  
33 LINE OF LOTS 48 THROUGH 54 OF SAID GOLF-TAM VILLAGE; THENCE  
34 N.01°37'24"W. ALONG SAID PARALLEL LINE, A DISTANCE OF 526.02  
35 FEET TO A POINT OF INTERSECTION WITH THE BOUNDARY LINE OF  
36 SAID GOLF-TAM VILLAGE; THENCE ALONG SAID BOUNDARY LINE THE  
37 FOLLOWING TWENTY-NINE (29) COURSES AND DISTANCES;  
38 N.88°13'32"E., A DISTANCE OF 70.00 FEET; THENCE N.01°46'28"W., A  
39 DISTANCE OF 10.00 FEET; THENCE N.88°13'32"E., A DISTANCE OF 100.00  
40 FEET; THENCE N.01°46'28"W., A DISTANCE OF 80.00 FEET; THENCE  
41 N.88°13'32"E., A DISTANCE OF 316.78 FEET TO A POINT OF CURVATURE  
42 TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CENTRAL

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1 ANGLE OF 37°18'06"; THENCE EASTERLY ALONG THE ARC A DISTANCE  
2 OF 130.21 FEET TO A POINT OF REVERSE CURVATURE TO THE LEFT  
3 HAVING A RADIUS OF 240.00 FEET AND A CENTRAL ANGLE OF  
4 23°34'02"; THENCE SOUTHEASTERLY ALONG THE ARC, A DISTANCE OF  
5 98.72 FEET; THENCE S.39°44'27"E., A DISTANCE OF 30.99 FEET; THENCE  
6 S.01°26'29"E., A DISTANCE OF 63.23 FEET TO A POINT OF CURVATURE  
7 TO THE RIGHT HAVING A RADIUS OF 120.00 FEET AND A CENTRAL  
8 ANGLE OF 94°41'52"; THENCE SOUTHWESTERLY ALONG THE ARC A  
9 DISTANCE OF 198.33 FEET; THENCE N.86°44'37"W., A DISTANCE OF  
10 142.47 FEET; THENCE S.03°15'23"W., A DISTANCE OF 40.00 FEET;  
11 THENCE N.86°44'37"W., A DISTANCE OF 10.00 FEET; THENCE  
12 N.73°41'30"W., A DISTANCE OF 82.00 FEET; THENCE S.07°06'50"W., A  
13 DISTANCE OF 157.92 FEET; THENCE S.15°27'37"E., A DISTANCE OF  
14 148.75 FEET; THENCE S.86°44'37"E., A DISTANCE OF 153.98 FEET;  
15 THENCE N.11°38'36"E., A DISTANCE OF 282.95 FEET A THE POINT OF  
16 NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS  
17 POINT LIES N.03°15'13"E., A RADIAL DISTANCE OF 160.00 FEET; THENCE  
18 NORTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF  
19 62°14'07", A DISTANCE OF 173.79 FEET; THENCE S.01°26'29"E., A  
20 DISTANCE OF 360.93 FEET; THENCE N.88°21'41"E., A DISTANCE OF  
21 695.09 FEET; THENCE N.32°09'20"E., A DISTANCE OF 460.00 FEET;  
22 THENCE N.57°50'40"W., A DISTANCE OF 100.00 FEET; THENCE  
23 N.32°09'20"E., A DISTANCE OF 98.57 FEET TO A POINT OF CURVATURE  
24 TO THE LEFT HAVING A RADIUS OF 100.00 FEET AND A CENTRAL  
25 ANGLE OF 33°56'25"; THENCE NORTHERLY ALONG THE ARC A  
26 DISTANCE OF 59.24 FEET; THENCE N.01°47'05"W., A DISTANCE OF 39.39  
27 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF  
28 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00"; THENCE NORTHERLY  
29 ALONG THE ARC A DISTANCE OF 39.27 FEET; THENCE S.88°12'55"W., A  
30 DISTANCE OF 75.00 FEET; THENCE N.01°47'05"W., A DISTANCE OF 30.00  
31 FEET TO THE POINT OF BEGINNING.  
32  
33 CONTAINING 6,061,881 SQUARE FEET/139.1616 ACRES MORE OR LESS.

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