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**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 AND RM-16, MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT WITH ACCOMPANYING MASTER DEVELOPMENT PLAN, WHICH PROVIDES FOR A RESIDENTIAL DEVELOPMENT NOT TO EXCEED 405 HOMES FOR THE PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF NW 21ST AVENUE AND NW 44TH STREET, 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, as more particularly and legally described in Exhibit A, from OS, Open Space District and RM-16, Multifamily Residential District to PUD, Planned Unit Development; and

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

**WHEREAS**, rezoning from OS, Open Space District and RM-16, Multifamily Residential District To PUD, Planned Unit Development is consistent with the permitted uses and density requirements as identified in the City of Oakland Park Comprehensive Plan; and

CODING: Words in ~~struck-through~~ type are deletions from existing law;  
Words in underlined type are additions.

1           **WHEREAS**, the proposed rezoning to PUD, Planned Unit Development with  
2 the accompanying Master Development Plan is compatible with the surrounding uses;  
3 and

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

8  
9           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**  
10 **OF THE CITY OF OAKLAND PARK, FLORIDA THAT:**

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

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

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

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

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

26           **SECTION 3.** The City Commission of the City of Oakland Park, Florida, hereby  
27 approves the rezoning request filed by Blackwood Partners, LLC and Blackshore

1 Partners, LLC to rezone the property described in the Legal Description herein from OS,  
2 Open Space District and RM-16, Multifamily Residential District to PUD, Planned Unit  
3 Development, for real property located at the northwest corner of the intersection of  
4 N.W. 21st Avenue and N.W. 44th Street, as more particularly and legally described in  
5 Exhibit A.

6  
7 **SECTION 4.** The accompanying Oak Tree Master Development Plan as  
8 prepared by Design and Entitlement Consultants and delivered to the City on June 28,  
9 2019 and dated June 20, 2019, but with the most recent revision date of June 28, 2019,  
10 is hereby approved as attached hereto and made a part hereof.

11 **SECTION 5.** The Unified Control Agreement included herein as Exhibit B, as  
12 required for Planned Unit Developments, is hereby approved.

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

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

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

21  
22 **SECTION 9.** This Ordinance shall be effective upon its passage and adoption  
23 by the City Commission of the City of Oakland Park.

1 **PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,**  
2 **FLORIDA, ON FIRST READING, THIS 7<sup>th</sup> , DAY OF AUGUST, 2019.**  
3  
4

5	M. SPARKS	YES
6	M. CARN	YES
7	J. BOLIN	YES
8	T. LONERGAN	YES
9	S. GUEVREKIAN	YES

10  
11

12 **PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF**  
13 **OAKLAND PARK, FLORIDA, ON SECOND READING, THIS 11<sup>TH</sup> , DAY OF**  
14 **SEPTEMBER, 2019.**  
15

16 CITY OF OAKLAND PARK, FLORIDA  
17  
18  
19

20  
21 \_\_\_\_\_  
22 MAYOR SARA GUEVREKIAN

23	M. SPARKS	_____
24	M. CARN	_____
25	J. BOLIN	_____
26	T. LONERGAN	_____
27	S. GUEVREKIAN	_____

28

29 ATTEST:  
30  
31  
32  
33

34 \_\_\_\_\_  
35 RENEE M. SHROUT, CMC, CITY CLERK

36 LEGAL NOTE:

37 I hereby certify that I have approved the form of this Ordinance (O-2019-XXX):  
38  
39  
40

41 \_\_\_\_\_  
DONALD J. DOODY, CITY ATTORNEY

1   **Exhibit A**  
2   **Legal Description**

3  
4   DESCRIPTION

5   PARCEL "A", OAK TREE PLAT, AS RECORDED IN PLAT BOOK 177, PAGES 5  
6   THROUGH 7, TOGETHER WITH LOT 17, "FORT LAUDERDALE INDUSTRIAL  
7   AIRPARK - SECTION 1", AS RECORDED IN PLAT BOOK 63, PAGE 10, BOTH  
8   OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER  
9   WITH A PORTION OF   SECTION 17, TOWNSHIP 49 SOUTH, RANGE 42 EAST,  
10   THE CITY OF OAKLAND PARK, BROWARD COUNTY, FLORIDA, MORE  
11   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 SOUTH  
16   LINE OF TAMARAC LAKES SOUTH, AS RECORDED IN PLAT BOOK 62, PAGE  
17   24 OF SAID PUBLIC RECORDS, A DISTANCE OF 826.79 FEET A POINT OF  
18   NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE RADIUS  
19   POINT LIES N.77°44'26"E., A RADIAL DISTANCE OF 1,246.28 FEET; THENCE  
20   SOUTHERLY ALONG THE ARC OF THE WESTERLY RIGHT-OF-WAY LINE  
21   OF PROSPECT ROAD, SAID RIGHT-OF-WAY LINE LYING 100.00 FEET  
22   WESTERLY OF AND CONCENTRIC TO THE CENTERLINE THEREOF, AS  
23   SHOWN ON SAID "FORT LAUDERDALE INDUSTRIAL AIRPARK - SECTION  
24   1", THROUGH A CENTRAL ANGLE OF 01°24'21", A DISTANCE OF 30.58 FEET;  
25   THENCE S.88°12'55"W. ALONG A LINE 30.00 FEET SOUTH OF (AS  
26   MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE SOUTH  
27   LINE OF SAID TAMARAC LAKES SOUTH, A DISTANCE OF 30.00 FEET TO  
28   THE NORTHEAST CORNER OF SAID PARCEL "A", OAK TREE PLAT; THENCE  
29   S.53°04'11"E. ALONG THE WEST RIGHT-OF-WAY LINE OF PROSPECT ROAD,  
30   AS SHOWN ON SAID OAK TREE PLAT, A DISTANCE OF 46.82 FEET TO A  
31   POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE  
32   RADIUS POINT LIES N.74°57'20"E., A RADIAL DISTANCE OF 1,246.28 FEET;  
33   THENCE SOUTHERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE,  
34   THROUGH A CENTRAL ANGLE OF 09°43'05", A DISTANCE OF 211.38 FEET  
35   TO A POINT OF INTERSECTION WITH THE WEST LINE OF LOT 17 OF SAID  
36   FORT LAUDERDALE INDUSTRIAL AIRPARK - SECTION 1; THENCE  
37   N.01°39'39"W. ALONG SAID WEST LINE, A DISTANCE OF 146.96 FEET A  
38   POINT OF NON TANGENCY WITH A CURVE TO THE LEFT, OF WHICH THE  
39   RADIUS POINT LIES N.71°43'32"E., A RADIAL DISTANCE OF 1,196.28 FEET;  
40   THENCE SOUTHEASTERLY ALONG THE ARC OF THE WEST RIGHT-OF-  
41   WAY LINE OF PROSPECT ROAD, AS SHOWN ON SAID "FORT LAUDERDALE

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

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