



Public Works Department

**HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION**

1 N. University Drive, Box B300, Plantation, Florida 33324-2038 • 954-577-4555 • FAX 954-357-5715

**M E M O R A N D U M**

DATE: October 1, 2021

TO: Josie Sesodia, Director  
Planning and Development Management Division

FROM: David (D.G.) McGuire, Construction Project Manager  
Plat Section, Highway Construction and Engineering Division

Noemi Hew, Planner  
Transportation Department, Service Development

SUBJECT: Application for New Plat-Letter To Proceed  
Plantation Shell Circle K (003-MP-21)

The Highway Construction and Engineering Division, Traffic Engineering, and the Transportation Department, Transit Division have reviewed the application for a new plat. Our review included the information contained in the application, the property survey, the site plan (or conceptual access plan), and any previously recorded plats.

As a result of our review, staff has determined that the comments and recommendations are required with respect to the safe and adequate access standards of the Broward County Land Development Code.

## STAFF COMMENT

### RATIONAL NEXUS REVIEW

- 1 This plat has been evaluated by staff for the relationship between the impact of the proposed development and the right-of-way dedications required by the Broward County Land Development Code. Staff has made a finding that the proposed development meets the threshold for rational nexus and this report includes right-of-way dedication requirements.

## STAFF RECOMMENDATIONS

### NON-VEHICULAR ACCESS LINE REQUIREMENTS

It is the express intent of this non-vehicular access line to eliminate all proposed openings and existing driveways not specifically delineated in the following comments:

- 2 Along the ultimate right-of-way for US 441 (SR 7) except at 40-foot opening with centerline located approximately 32.5 feet south of the north plat limits.

Said non-access line will include a corner chord and extend along NW 5<sup>th</sup> Street for a minimum of 50 feet beyond the corner chord.

This opening is restricted to right turns only. Specific notation shall be added to the plat referencing the type of access allowed.

### RIGHT-OF-WAY REQUIREMENTS (Dedicate)

- 3 Ten (10) feet of right-of-way to comply with the Broward County Trafficways Plan on US 441 (SR 7), a 120-foot Arterial.
- 4 Right-of-way for a corner chord based on a 30-foot radius at the intersection of US 441 (SR 7) and NW 5<sup>th</sup> Street.
- 5 At this location, US 441 (SR 7) is functionally classified as a State of Florida jurisdiction roadway. The applicant should contact the State of Florida for copies of standard conveyance documents and instructions for processing. The applicant should provide adequate time for the review and approval process.

### ACCESS REQUIREMENTS

- 6 The minimum distance from the non-vehicular access line of US 441 (SR 7), at any ingress or egress driveway, to the outer edge of any interior service drive or parking space with direct access to such driveway shall be 25 feet.

- 7 For the two-way driveway that will be centered in the 40-foot opening: the maximum pavement width shall be 30 feet, the minimum entrance radii shall be 35 feet.
- 8 The applicant shall consult with the Permit Section of The Florida Department of Transportation regarding the design elements of this connection (777-4383).

TRAFFICWAYS IMPROVEMENTS (Secure and Construct)

- 9 The removal of all existing driveways in locations not consistent with approved openings in the non-vehicular access line and the construction of curb, gutter, and sidewalk in these openings when necessary to complete the required improvement.

SIDEWALK REQUIREMENTS (Secure and Construct)

- 10 Along US 441 (SR 7) adjacent to this plat.
- 11 Along NW 5<sup>th</sup> Street adjacent to this plat.

SIGNALIZATION IMPROVEMENTS (Secure Construction)

- 12 Any necessary modifications to the existing traffic signal at the intersection of US 441 (SR 7) and NW 5<sup>th</sup> Street to provide for the required improvements.

COMMUNICATION CONDUIT/INTERCONNECT (Secure and Construct)

- 13 The developer shall be responsible for replacement of communication conduit/interconnect that is damaged by construction of the required improvements. The security amount for communication conduit/interconnect along US 441 (SR 7) shall be determined by the Traffic Engineering Division.

PAVEMENT MARKINGS AND SIGNS (Secure and Construct)

- 14 Construction of the required improvements shall include installation of signs and thermoplastic pavement markings. Pavement markings and signs shall be designed, fabricated, and installed in accordance with Traffic Engineering Division standards. The minimum security amount for pavement markings and signs is \$1,000.

## IMPROVEMENT AGREEMENT AND SECURITY REQUIREMENTS

- 15 Section 5-184(d)(2) of the Broward County Land Development Code requires a recordable agreement for the required improvements. The owner of this plat shall enter into the standard Installation of Required Improvements Agreement (CAF#450) and submit it to the Highway Construction and Engineering Division for review and approval prior to plat recordation. The completion date for all required improvements listed as Exhibit "B" shall indicate completion prior to issuance of Certificates of Occupancy. Alternate phasing schedules must receive prior approval from the Highway Construction & Engineering Division. The use of a non-standard agreement will require independent approval by the County Commission.

The Installation of Required Improvements Agreement shall be secured by letter of credit, cash, lien, or other security acceptable to the County. Security instruments for all required improvements shall be submitted prior to NVAL Amendment Agreement recordation and/or commencement of construction. Security amounts shall be based upon the one of the following:

- a. Approved construction plans. When security is based on approved construction plans, the security will be calculated at one hundred (100%) percent of the cost of the improvements. Requirements for submitting construction plans are outlined below.
- b. Engineer's cost estimate. When security is based on an engineer's cost estimate, the security will be calculated at one hundred twenty-five (125%) percent of the cost of the improvements. Engineer's cost estimate(s) must be submitted for review by the Highway Construction and Engineering Division. Use of approved cost estimate forms is required. Payment of the applicable review fee is required pursuant to Chapter 38.8 of the Broward County Administrative Code.
- c. All forms are available on the Highway Construction & Engineering Division's web page at:  
<http://www.broward.org/Publicworks/BCEngineering/Pages/Default.aspx>

## IMPROVEMENT PLAN SUBMITTAL (Pre-construction and Security Release Requirements)

- 16 Construction plans for the required improvements (including pavement marking and signing plans) shall be submitted to Highway Construction and Engineering Division for review for conformance to Plat recommendations and must be approved prior to the commencement of construction. Construction shall be subject to inspection and approval by the County.

- 17 Communication Conduit/Interconnect plans (3 sets and a cost estimate) shall be submitted to the Traffic Engineering Division. Any easements necessary for relocation and maintenance of the conduit must be provided and shown on the submitted plans. No security shall be released without field inspection and final approval of all materials, installations, and locations by the Traffic Engineering Division.

#### GENERAL RECOMMENDATIONS

- 18 Distance and measurement recommendations contained in this report were based on the best information available at the time of review. County staff may approve minor adjustments based on verified field conditions or details provided in approved construction plans.
- 19 All construction must include all necessary transitions to existing pavement, the lengths of which shall be determined by the design speed of the roadway. All designs, construction, studies, etc., shall conform to the applicable sections of the following:
- A) United States Department of Transportation: "Manual on Uniform Traffic Control Devices" (MUTCD).
    - 1) State of Florida Department of Transportation:
    - 2) "Roadway and Traffic Design Standards."
    - 3) "Standard Specifications."
    - 4) "FDOT Transit Facilities Guidelines."
  - B) Broward County: "Minimum Construction Standards for Roadways Under Broward County Jurisdiction" (Exhibit 25A of Section 25.1, Broward County Administrative Code).

In addition, all designs for construction shall be certified by a Professional Engineer, registered in the State of Florida, that they meet the standards included above.

All standard forms are available for downloading from the Highway Construction and Engineering Division's website:  
<http://www.broward.org/Publicworks/BCEngineering/Pages/Default.aspx>.

- 20 This plat will not be recorded until all real estate taxes (including taxes for the current year and any delinquent taxes) for the property being platted have been paid as required by Florida Statutes Chapter 197.192. The applicant shall request a current tax letter be forwarded from the Revenue Collection Division to HCED Plat Section.

## F.S. 177 PLAT REVIEW COMMENTS

The following comments note the corrections necessary for the plat mylar to comply with the requirements of Florida Statutes Chapter 177. If additional clarification is necessary, please contact Jason Espinosa at (954) 577-4593 or via email at [JESPINOSA@BROWARD.ORG](mailto:JESPINOSA@BROWARD.ORG).

Please note that additional changes made to the plat mylar beyond this list of corrections may necessitate additional review time; delay recordation; and result in additional review fees.

All resubmittals shall include a paper copy of the plat with changes from the original plat review application highlighted.

### 21 SURVEY DATA

- A. The legal description in the title opinion or certificate shall match the legal description on the plat. The plat drawing shall follow the legal description.
  - 1. Explain the reference to Resolution No. 4-V-65 as recorded in D.B. 211, PG. 87, B.C.R. as a source of the west right-of-way line of State Road No. 7/U.S. 441. It is not called out in the description in the vesting deed. Additionally, Deed Book 211 was recorded circa 1929, which does not correspond to a 1965 resolution. Review and revise, as necessary. If applicable, provide a legible copy of the cited deed.
- B. Square footage shall be shown for each parcel. The total area shall be accurate to the nearest square foot.
- C. Full dimensioning and square footage shall be shown on all right-of-way dedicated by this plat.
- D. P.R.M.s shall be shown at every change of direction, not more than 1,400 feet apart. P.R.M.s shall be labeled "Found" or "Set".
  - 1. Show the offset directions and distances on the P.R.M.s depicted on the right-of-way line created by this plat. Additionally, show them as offset monuments.
- E. Two land ties to two independent land corners or one land corner and one other recorded corner shall be shown. Show found monumentation at both corners.
- F. The platting surveyor shall submit Certified Corner Records for section corners used in preparation of the plat to both the State and Broward County. County staff will confirm submittal to the State prior to plat recordation. For section corners which have Certified Corner Records on file, the surveyor shall submit an affidavit confirming that the Section corner was found to be substantially as described in the most recently available certified corner record. Standard affidavit forms are available at:  
<http://www.broward.org/BCEngineering/Pages/PlatSectionForms.aspx>.
- G. The surveyor shall submit digital plat information (after all corrections are completed and Highway Construction & Engineering Division staff requests

digital information).

## 22 RIGHT OF WAY DELINEATION AND DEDICATION LANGUAGE

- A. Depict the entire right-of-way width of State Road No.7/U.S. 441, N.W. 5<sup>th</sup> Street and N.W. 6<sup>th</sup> Court adjacent to the plat. Label the right-of-way shown with all recorded instruments which establish public rights-of-way adjacent to this plat. Refer to the Opinion of Title and Adjacent Right-of-Way report.
- B. Obtain and provide a copy of the latest FDOT Right-of-Way map for State Road No. 7 adjacent to the plat. Add label for same indicating the State road designation, roadway section number, sheet number, and the latest date of revision.

NOTE: Refer to FDOT Right-of-Way Map Section 86100-2509.

- C. Centerlines of right-of-way and construction (if they are different) shall be shown.  
Cite the source of the Centerline of Construction shown on the plat. The referenced FDOT R/W Map shows a Baseline of Survey but does not label it as a centerline. Review and revise, as necessary.

## 23 TITLE CERTIFICATION AND DEDICATION SIGNATURE BLOCKS

The title shall be updated for review of any agreements and the recordation process. Standard format for Title Certificates, Opinions of Title, the Adjacent Right-of-way Report, and a Guide to Search Limits of Easements and Right-of-way may be obtained by contacting the Highway Construction & Engineering Division or by visiting our web site: <http://www.broward.org/BCEngineering/Pages/PlatSectionForms.aspx>

## 24 DRAFTING AND MISCELLANEOUS DATA

- A. Address any undefined abbreviations or symbols used on the plat or added during revision. Remove any abbreviations and symbols from the Legend that do not appear on the plat. Add any missing abbreviations and symbols to the Legend that appear on the plat or are added during revisions.
  - 1. Add the Quarter Section Corner that appears in the legend to the drawing.
- B. Location Map and Scale (Depicting 2 major street names; one North/South and one East/West) shall be shown.  
Verify the street number name for N. Hospital Drive west of State Road 7. Various sources show it as N.W. 5<sup>th</sup> Street. Review and revise the Location Map, as necessary.
- C. The Planning & Development Management file number 003-MP-21 shall be shown inside the border in the lower right-hand corner on each page.
  - 1. Correct this number on Page 2 of the plat.

- 25 HIGHWAY CONSTRUCTION & ENGINEERING DIVISION INTERNAL PROCEDURES  
(These items are required for plat recordation but are completed by County staff)
- A. Planning Council Executive Director or Designee Signature
  - B. Completion of all POSSE Inputs; Impact Fee and Security reports printed
  - C. County Surveyor Signature
  - D. PRM's Verified
  - E. Development Order, Planning & Development Management Division Director Signature
  - F. Highway Construction and Engineering Director Signature
  - G. City/District scanned copy of mylar, as required.