



Public Works Department

**HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION**

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

DATE: September 20, 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 of Objection (second)/ Letter to Proceed  
TP Prospector (017-MP-20)

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.

The report has been modified to reflect many of requests resulting from the discussions held in regard to this project. The access on US 441/SR7 has been modified to reflect the FDOT memorandum. The access on Prospect Road and the coordinating easement has been shifted to the west to allow for site plan development. As the southernmost lane on Prospect Road is to be restriped to create an eastbound right turn lane at the proposed opening, the dedication and construction requirements have been deleted.

## 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 State Road 7 (US 441), a 200-foot arterial roadway, except at 50-foot opening with centerline located approximately 25 feet north of the south plat limits.

This opening is restricted to right turns only.

- 3 Along the ultimate right-of-way for Prospect Road, a 100-foot arterial trafficway, except at a 50-foot opening with centerline located approximately 25 feet west of the east plat limits.

Said non-access line will include a corner chord.

This opening is restricted to right and left turns in and right turns out.

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

- 4 Eighteen and a half feet (18.5) of right-of-way to comply with the Broward County Trafficways Plan on State Road 7 (US 441), a 100-foot Arterial.
- 5 Right-of-way for a corner chord based on a 35-foot radius at the intersection of State Road 7 (US 441) and Prospect Road.
- 6 Two feet (2) of right-of-way for an expanded sidewalk commencing approximately 85 feet east of the west plat limits and continuing east for 50 feet.

#### ACCESS EASEMENT REQUIREMENTS

- 7 Provide a 35-foot-wide by 70-foot-deep ingress/egress easement at the south plat limits on State Road 7 (US 441). A 24-foot extension shall connect the eastern 24 feet of the easement to the southern plat limits. The dimensions may be modified to more closely approximate the proposed driveway dimensions. Any proposed modifications are subject to the review and approval of the Highway Construction and Engineering Division prior to plat recordation.
- 8 Provide a 50-foot-wide by 100-foot-deep ingress/egress easement at the east plat limits on Prospect Road. The dimensions may be modified to more closely approximate the proposed driveway dimensions. Any proposed modifications are subject to the review and approval of the Highway Construction and Engineering Division prior to plat recordation.
- 9 The aforementioned easements shall be noted within the dedications portion of the plat.
- 10 A 6 feet x 20 feet Bus Shelter Easement commencing 115 feet east of the west plat limit and continuing east for 20 feet.

#### ACCESS REQUIREMENTS

- 11 The minimum distance from the non-vehicular access line of State Road 7 (US 441) and Prospect Road, 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.
- 12 For the two-way driveway that will be centered in a 50-foot opening on State Road 7 (US441): The applicant shall consult with the Permit Section of The Florida Department of Transportation regarding the design elements of this connection (777-4383).
- 13 For the two-way driveway that will be centered in a 50-foot opening on Prospect Road: the minimum pavement width shall be 24 feet, the minimum entrance radius shall be 30 feet.

#### BUS BAY REQUIREMENTS (Secure and Construct)

- 14 An eastbound bus bay on Prospect Rd with a 40-foot entrance taper, 50 feet of storage and a 40-foot exit taper commencing 45 feet east of the west plat limit and continuing east for 130 feet. Design is subject to review by the Service and Capital Planning Section of the Transit Division and the Paving and Drainage Section of the Highway Construction and Engineering Division.

#### TRAFFICWAYS IMPROVEMENTS (Secure and Construct)

- 15 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 FOR BUS LANDING PAD (Secure and Construct)

- 16 An 8-foot-wide x 60-foot-long expanded sidewalk for the bus landing pad (design must extend to the face of curb and gutter) on Prospect Rd commencing 85 feet east of the west plat limits and continuing east for 50 feet. Bus landing pad must be connected to a pedestrian sidewalk. Design is subject to review by the Service and Capital Planning Section of the Transit Division and the Paving and Drainage Section of the Highway Construction and Engineering Division.

#### SIDEWALK REQUIREMENTS (Secure and Construct)

- 17 Along State Road 7 (US 441) and adjacent to this plat.
- 18 Along Prospect Road and adjacent to this plat.

#### PAVEMENT MARKINGS AND SIGNS (Secure and Construct)

- 19 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 security amount for pavement markings and signs will be based on the approved construction plans or the approved engineer's cost estimate as outlined below. Design and installation of the required markers and/or signs are subject to approval by Florida Department of Transportation for projects located on a FDOT jurisdictional roadway.

#### IMPROVEMENT AGREEMENT AND SECURITY REQUIREMENTS

- 20 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)

- 21 Construction plans for the required improvements (including pavement marking and signing plans) shall be submitted to Highway Construction and Engineering Division for review, and must be approved prior to the commencement of construction. Construction shall be subject to inspection and approval by the County. Pavement marking and signing shall be provided for all of the Improvements and shall be subject to review, field inspections and final approval by the Traffic Engineering Division. Security for pavement markings and signing shall not be released without field inspection and final approval by the Traffic Engineering Division of all materials, installations and locations.
- 22 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

- 23 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.
- 24 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>.

- 25 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.

#### 26 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.
- 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-created by this plat.
- D. 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.
- E. The bearing reference line must be a well-established and monumented line. Depict said line with its monumentation and tie to the plat boundary. Insufficient monumentation is shown for the line called out. Review and revise as necessary.
- F. Tie the found monuments at the northeast and northwest corners of PARCEL “A” of SLOATE AND ZITO CENTER per P.B. 83, PG. 13, B.C.R. to this plat by way of bearing – distance dimensions.
- G. Verify the north – south location of the municipal boundary between the City of Fort Lauderdale and the City of North Lauderdale adjacent to W. Prospect Road. Various sources indicate the boundary line is coincident with the north line of Section 18-49-42. Cite the source of the location of the municipal boundary line. Review and revise as necessary.
- H. 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>.
- I. The surveyor shall submit digital plat information (after all corrections are completed and Highway Construction & Engineering Division staff requests digital information).

## 27 RIGHT OF WAY DELINEATION AND DEDICATION LANGUAGE

- A. Dedication language shall clearly dedicate all right-of-way, special purpose parcels and easements shown on the plat.
- B. Mortgagee dedication shall clearly join in the dedications on the plat.
- C. Proposed right-of-way shall be clearly labeled and dedicated by the plat.
- D. Depict the entire right-of-way width of State Road 7 and Prospect Road 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 Adjacent Right-of-Way Report.
- E. Verify the type of Book in which the instrument recorded in Book 419 PG. 388 shown as a source of Prospect Road was recorded. Review and revise as necessary.
- F. Obtain and provide copy of the latest FDOT Right-of-Way map for State Road 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.

- G. Remove the reference to the F.D.O.T. Baseline of Survey on the north line of the NW 1/4 of Section 18-49-42
- H. Centerlines of right-of-way and construction (if they are different) shall be shown.
- I. All proposed easements shall be clearly labeled and dimensioned. Utility easements should be granted to the public (or to the City but not to any specific utility company). Utility easements created by the plat should NOT be located within any road right-of-way.
- J. All existing easements shall be clearly labeled and dimensioned.

## 28 TITLE CERTIFICATION AND DEDICATION SIGNATURE BLOCKS

- A. Plat review service charge form, review fee, and one copy of the plat with all changes from the original plat review application highlighted. The original plat mylar shall be submitted to the Highway Construction and Engineering Division accompanied by an original title certificate or an attorney's opinion of title which shall:
  - 1) be based upon a legal description that matches the plat.
  - 2) be based upon a search of the public records within forty-five (45) days of submittal.
  - 3) contain the names of all owners of record.
  - 4) contain the names of all mortgage holders of record and if there are no mortgages, it shall so state.
  - 5) contain a listing of all easements and rights-of-ways of record lying within the plat boundaries.
  - 6) contain a listing of all easements and rights-of-ways which abut the plat boundaries and are necessary for legal access to the plat, and if there are none it shall so state.

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>

The Adjacent Right-of-Way Report is incomplete. It does not document the full rights-of-way adjacent to the plat. This report is to be a search of the adjacent right-of-way to determine its full width and the instruments that created it. Missing references include, but are not necessarily limited to, D.B. 237, PG. 481, B.C.R.; D.B. 419, PG. 388, B.C.R. and O.R.B. 3128, PG. 352, B.C.R. Review, and revise prior to mylar submittal



- B. The Dedication on the original mylar shall be executed by all record owners with original signatures. For property owned by an individual (or by individuals), the plat shall be executed in the presence of two witnesses for each signature. Property owned by corporations shall be executed by at least one of the following officers: the President, Vice President, or Chief Executive Officer together with either (i) two witnesses or (ii) the Corporate Seal. A plat which has been executed by any officer other than the President, Vice President, or Chief Executive Officer shall also provide documentation authorizing the individual(s) who executed the plat. The officers executing a plat shall be verified through the Florida Department of State, or by the applicant providing corporate documentation. Persons executing plats owned by a partnership or a trust shall provide documentation clearly demonstrating their authority to execute on behalf of the partnership or trust.
- C. All mortgagees shall execute the plat with original signatures, seals, and witnesses.
- D. Acknowledgments and seals are required for each signature.

## 29 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.
- B. Plat borders shall be 1/2-inch on three sides with a 3-inch margin on the left side.
- C. The plat original shall be drawn with black permanent drawing ink; or nonadhered scaled print on a stable base film.
- D. The sheet size shall be 24 inches by 36 inches.
- E. Adjacent plats shall be identified, or abutting unplatted parcels shall be identified as "Acreage."  
Label the 3' Hiatus south of and abutting the south plat boundary line as a PORTION of NW 1/4 of Section 18-49-42.
- F. The Planning & Development Management file number 017-MP-20 shall be shown inside the border in the lower right-hand corner on each page.
- G. Tabular data shall be verified.
- H. Lettering on the plat shall be no smaller than 0.10" (10-point font).

30 SIGNATURE BLOCKS

- A. The Surveyor's Certification shall be signed and the plat sealed by professional surveyor and mapper, and state that the plat was prepared under his or her direction and supervision, and complies with all of the survey requirements of FS Chapter 177. The printed name and registration number of the professional surveyor and mapper shall appear directly below the Surveyor's Certificate, along with the printed name, address, and certificate of authorization number of the legal entity
- B. The plat shall include space for signature by the Highway Construction and Engineering Division Acting County Engineer Director and Surveyor indicating that the plat has been reviewed for conformity with Chapter 177, Part 1, Florida Statutes.
- C. The plat shall include space for signature by the Broward County Environmental Protection and Growth Management Department.
- D. The plat shall include space for signature by Records Division - Minutes Section (County Commission).
- E. The plat shall include space for signature by Planning Council Chair and Executive Director.
- F. If applicable, the plat shall include space for approval of Drainage District, City, special improvement district, or taxing district (including space for seals). The language preceding the designated municipal official's signature on the plat drawing shall include the following wording:  

"All applicable concurrency/impact fees for the construction, expansion, and/or conversion of a building within this plat shall be paid on the date of building permit issuance"
- G. The plat shall include proper dates for signatures.
- H. The original plat mylar shall be submitted to the Highway Construction and Engineering Division accompanied by a copy of the City of North Lauderdale conditions of approval. (Agenda Report or Resolution listing all of the conditions of municipal plat approval.)

31 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.