



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

MEMORANDUM

DATE: July 1, 2022

TO: Josie Sesodia, Director
Urban Planning 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
Koosh Living (002-MP-22)

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 Stirling Road except at 50-foot opening with centerline located approximately 86 feet east of the west plat limits.

The opening on Stirling Road is subject to the approval of FOOT.

RIGHT-OF-WAY REQUIREMENTS (Dedicate)

- 3 Minimum twelve (12) feet of right-of-way for a westbound right turn lane on Stirling Road at the 50-foot opening with 135 feet of storage and 50 feet of transition. (FDOT)

ACCESS REQUIREMENTS

- 4 The minimum distance from the non-vehicular access line of Stirling 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 40 feet.
- 5 For the two-way driveway that will be centered in a 50-foot opening: the minimum pavement width shall be 24 feet, the minimum entrance radii shall be 25 feet.
- 6 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)

- 7 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.

TURN LANE IMPROVEMENTS (Secure and Construct)

- 8 Westbound right turn lane on Stirling Road at the 50-foot opening with 135 feet of storage and 50 feet of transition. Design of this turn lane is subject to approval by Florida Department of Transportation.
- 9 Design of this turn lane is subject to approval by Florida Department of Transportation.

SIDEWALK REQUIREMENTS (Secure and Construct)

- 10 Along Stirling Road adjacent to this plat.

COMMUNICATION CONDUIT/INTERCONNECT (Secure and Construct)

- 11 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 Stirling Road shall be determined by the Traffic Engineering Division.

PAVEMENT MARKINGS AND SIGNS (Secure and Construct)

- 12 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

- 13 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)

- 14 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.
- 15 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

- 16 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.

- 17 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>.

- 18 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.

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.

19 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. Bearings and distances shall be on all lines.
- C. Plat boundary perimeter closure shall be within +/- 0.03 feet
- D. Square footage shall be shown for each parcel. The total area shall be accurate to the nearest square foot.
- E. Full dimensioning and square footage shall be shown on all right-of-way dedicated by this plat.
- F. 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".
- G. Show P.C.P.s as appropriate.
- H. Two land ties to two independent land corners or one land corner and one other recorded corner shall be shown. Show found moumentation at both corners.
- I. 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>.
- J. The surveyor shall submit digital plat information (after all corrections are completed and Highway Construction & Engineering Division staff requests digital information).

20 RIGHT OF WAY DELINEATION AND DEDICATION LANGUAGE

- A. Dedication language shall clearly dedicate all right-of-way, specific 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 Stirling 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.
- E. Obtain and provide copy of the latest FDOT Right-of-Way map for Stirling Road adjacent to the plat. Add label for same indicating the State road designation, roadway section number, sheet number, and the latest date of revision.
- F. Centerlines of right-of-way and construction (if they are different), shall be shown.

- G. 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.
- H. All existing easements shall be clearly labeled and dimensioned.
 - 1. Provide a legible copy of the instrument recorded in O.R.B. 237, PG. 342, B.C.R. shown as a source of the 270' FPL Easement.

21 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>

- 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.

22 DRAFTING AND MISCELLANEOUS DATA

- A. Address any easements, rights-of-ways, or specific purpose parcels to be created by this plat in the Dedication language. Depict and label with type, width, and recording information for any applicable existing easements within the plat as identified in the title work or provide evidence of their release/vacation.
- 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. North Arrow(s) shall be shown on each drawing page.
- F. Adjacent plats shall be identified or unplatted parcels shall be identified as "Acreage."
 - 1. Correct the spelling of **OAKS** in the name of the east adjoining plat recorded in P.B. 77, PG. 39, B.C.R.
 - 2. Remove PORTION OF from the labels for the abutting Lots 12 and 14.
- G. Plat limits shall be labeled and shown with a heavy line.
- H. The Urban Planning Division file number 002-MP-22 shall be shown inside the border in the lower right-hand corner on each page.
- I. Tabular data shall be verified.
- J. Lettering on the plat shall be no smaller than 0.10" (10-point font).
- K. No text on the plat drawing should be obstructed or overlapped by lines or other text.

23 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 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, if any. A professional surveyor and mapper practicing independently of a legal entity shall include his or her address.
- B. The plat shall include space for signature by the **Highway Construction and Engineering** Director and Surveyor indicating that the plat has been reviewed for conformity with Chapter 177, Florida Statutes.
- C. The plat shall include space for signature by the **Broward County Resilient Environment 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:

"Application 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 Dania Beach conditions of approval. (Agenda Report or Resolution listing all of the conditions of municipal plat approval.)

24 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, Urban Planning Division Director Signature
- F. Highway Construction and Engineering Director Signature
- G. City/District scanned copy of mylar, as required.