



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: January 22, 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  
Oaks Place (013-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.

## 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 SW 40<sup>th</sup> Avenue except at:
  - A) A 22-foot opening with centerline located approximately 106 feet of south of the north plat limits. This opening is restricted to IN only.
  - B) A 20-foot opening with centerline located 161 feet south of the north plat limits. This opening is restricted to turns OUT only.
  - C) A 20-foot opening with centerline located 103 feet north of the south plat limits. This opening is restricted to turns OUT only.

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

- 3 Five feet of right-of-way necessary to comply with the Broward County Trafficways Plan on a portion of SW 40<sup>th</sup> Avenue, an 80-foot Collector.

### ACCESS REQUIREMENTS

- 4 The minimum distance from the non-vehicular access line of SW 40<sup>th</sup> Avenue, at any ingress driveway, to the outer edge of any gate or parking space with direct access to such driveway shall be 100 feet.
- 5 The minimum distance from the non-vehicular access line of SW 40<sup>th</sup> Avenue, at any egress driveway, to the outer edge of any gate or parking space with direct access to such driveway shall be 25 feet.
- 6 Each one-way driveway shall be centered on the opening and consist of a single lane of pavement. The ingress lane shall be 16 feet in width with a 30-foot radius and the egress lane shall be 15 feet in width.

- 7 The ingress driveway shall be limited to 16 feet in width through the entrance gate. Any proposed modifications are subject to the review and approval of the Highway Construction and Engineering Division prior to plat recordation.

TRAFFICWAYS IMPROVEMENTS (Secure and Construct)

- 8 Three one-way driveways as specified under the non-vehicular access line requirements.
- 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 SW 40<sup>th</sup> Avenue adjacent to this plat.

PAVEMENT MARKINGS AND SIGNS (Secure and Construct)

- 11 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

- 12 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)

- 13 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.
- 14 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

- 15 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.
- 16 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>.

- 17 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.

#### 18 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. The Point of Beginning on page 3 does not match the legal description.  
Review and revise.
- B. Plat boundary perimeter closure shall be within +/- 0.03 feet  
Provide a closure report, with the area, of the plat boundary.

- C. P.R.M. coordinates shall be accurate within +/- 0.05 feet.
- D. Square footage shall be shown for each parcel. The total area shall be accurate to the nearest square foot.
- E. Bearings, angles, and dimensioning shall be shown for each lot or parcel. Curvilinear lot lines shall show the radii, arc distances, and central angles. Radial lines will be so designated.
  - 1. Fully dimension the parcels created by the plat.
  - 2.
- F. Full dimensioning and square footage shall be shown on all right-of-way created by this plat.
- G. The distance dimension shown on the east line of the southwest 1/4 of Section 36-50-41 between the easterly extension of the south plat boundary line and the centerline of S.W. 56th Street appears to be incorrect. Review and revise as necessary.

The distance dimension shown on Sheet 3 differs from the corresponding dimension shown on Sheet 5. 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).
- J. 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.
  - 1. If the east line of the southeast 1/4 of Section 36-50-41 is to be used as the reference line, add language to Surveyor's Note # 4 that reads similar to:  
"as referenced by found monumentation on the west right-of-way line of S.W. 40TH Avenue."

19 RIGHT OF WAY DELINEATION AND DEDICATION LANGUAGE

- A. 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.

Review the document recorded in ORB 38266 Page 1704 and revise the plat, as necessary.

20 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>

## 21 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. Fully describe Benchmark #3361 in Surveyors Note 5.
- C. No text on the plat drawing should be obstructed or overlapped by lines or other text.

## 22 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 Acting County Engineer and Surveyor indicating that the plat has been reviewed for conformity with Chapter 177, Florida Statutes.
  - 1. Remove Part 1 from this signature block.
- 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 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”

- 23 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.