

STAFF REPORT
Metropica Plat
057-MP-07

A request to amend the platted non-vehicular access line has been filed with the Planning and Redevelopment Division. This plat was approved by the County Commission on October 14, 2008, for 209,650 square feet of commercial use, 635,000 square feet of office use and 363 high-rise units on 80.04 acres. The property is located on the north side of Sunrise Boulevard, east and west of Northwest 136 Avenue, in the City of Sunrise. The plat was recorded on April 16, 2010 (P.B. 179, PG. 70). This plat is also located in the Amerifirst Metropica Development of Regional Impact (DRI).

A companion request to amend the note on the plat by increasing the number of high-rise units by 1,720 dwelling units, adding 300 townhouse units and 417 mid-rise units, increasing the office use by 150,000 square feet and the commercial use by 275,350 square feet and removing certain site-specific restrictions for the proposed uses is also scheduled for County Commission action on April 22, 2014.

The plat was approved with a 100-foot opening in the non-vehicular access line (NVAL) along the west side of Northwest 136 Avenue, adjacent to Parcel D, with centerline located approximately 1420 feet north of the south section line of Section 26-49-40. This opening aligns with the centerline of a platted 100-foot opening on the east side of Northwest 136 Avenue (Parcel A). The NVAL currently includes the corner chords and extends west along both sides of the 100-foot opening for a minimum of 300 feet.

The applicant is requesting to decrease the non-vehicular access line extension on the south side of the 100-foot opening by 200 feet. According to the applicant, this request conforms to the submitted "Portico" site plan for the proposed mid-rise development on Parcel D.

This item was deferred on April 8, 2014 to be reconsidered on April 22, 2014 along with an agreement relating to the Conservation Easement located within this plat, and to give the City of Plantation an opportunity to provide comments.

The attached letter from the City of Sunrise indicates no objection to this request. The City further states that the proposed development complies with the Development Order for the Amerifirst Metropica DRI, adopted by City Commission on February 10, 2009 by Ordinance 732-X-09-B as amended by Ordinance 732-X-13-A on May 14, 2013.

The Paving and Drainage Section of the Highway Construction and Engineering Division notes that the offsite road improvements for this plat have been secured with a lien recorded in O.R. Book 47019, Page 1719. **Prior to obtaining a building permit for the construction of any portion of the project, the developer is required to replace the lien with a letter of credit or cashier's check.**

Staff has reviewed this request and recommends approval subject to approval of the companion item to amend the note on the plat, and subject to compliance with the conditions contained in the attached memorandum from the Highway Construction and Engineering Division and Transit Division. In addition, this approval is subject to the

Continued

Board authorizing the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

Finally, the applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

smh



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: February 26, 2014

TO: Henry Sniezek, Director
Planning and Redevelopment Division

FROM: David Huizenga, Engineer III
Plat Section, Highway Construction and Engineering Division

Noemi Hew, Planner
Service Development, Transit Division

SUBJECT: Delegation Request: Amendment to Non-Vehicular Access Line
METROPICA PLAT (057-MP-07)

The Highway Construction and Engineering Division and the Transit Division have reviewed the request to amend the non-vehicular access line (NVAL) along Northwest 136 Avenue adjacent to Parcel "D" of the plat and staff recommends **APPROVAL** of the proposed NVAL amendment subject to the following:

NON-VEHICULAR ACCESS LINE AMENDMENT AGREEMENT

- 1) The property owners of Parcel "D" (Folio Number 494026090040) must fully execute the Amendment to Non-Vehicular Access Lines Agreement (CAF #457) and submit it to the Highway Construction and Engineering Division for review and approval.
- 2) The applicant must prepare the legal descriptions for the Exhibits to the Non-Vehicular Access Line Amendment Agreement according to the details outlined in this report.
- 3) An Opinion of Title from an attorney or a Title Certificate from a title company must be submitted with the NVAL Amendment Agreement and must include the following information:
 - A) Same legal description as the affected portion of the recorded plat.
 - B) Record owner(s) name(s).

Continued

- C) Mortgage holder(s) name(s). If none, it should so state.
 - D) Date through which records were searched (within 30 days of submittal).
 - E) Original signature and/or seal.
- 4) For properties held by partnerships or trusts, the applicant must submit copies of the partnership or trust documents, or an opinion from an attorney familiar with the partnership or trust listing the partner(s) or trustee(s) who may execute agreements and deeds.

NON-VEHICULAR ACCESS LINE REQUIREMENTS

- 5) Exhibit "C" to the NVAL Amendment Agreement shall describe and illustrate a new non-vehicular access line along Northwest 136 Avenue adjacent to Parcel "D" except at a 100-foot opening centered 181.75 feet north of the southeast corner of Parcel "D." The NVAL shall include the corner chords and extend west along Northwest 21 Street for 300 feet and along the north side of the 100-foot opening into the property for 100 feet.

ACCESS REQUIREMENTS

- 6) The driveway constructed within the 100-foot opening should be centered in the opening and include a minimum of one inbound lane and two 12-foot outbound lanes with entrance radii of 35 feet.
- 7) An on-site vehicle reservoir of 50 feet is required for the driveway constructed within the 100-foot opening. The vehicle reservoir depth is measured from the right-of-way line to the edge of an interior service drive or parking space. The *Broward County Land Development Code* defines an intermediate driveway as one providing service for a maximum inbound volume of 2000 vehicles per day or an average of 200 vehicles in the peak hour.

GENERAL REQUIREMENTS

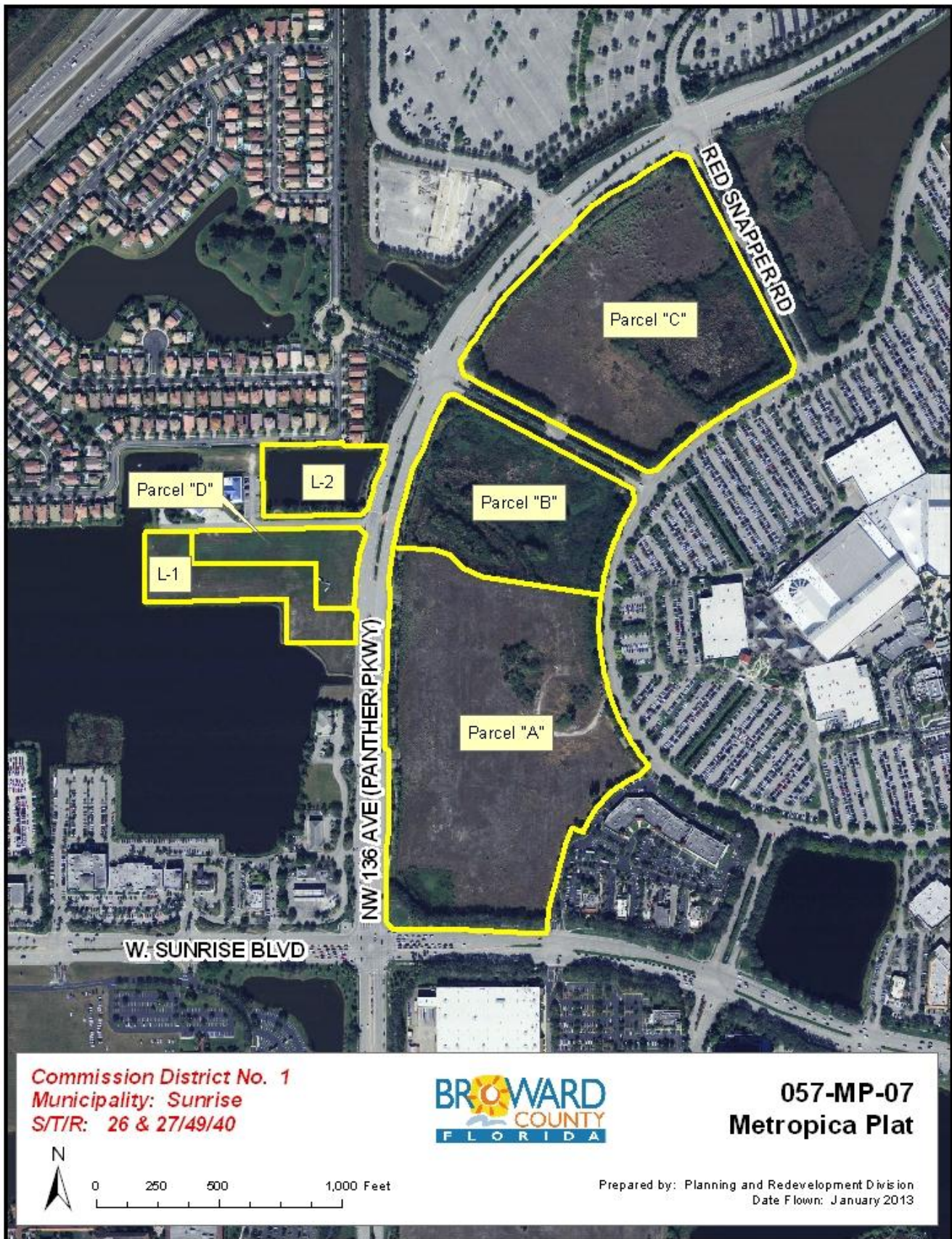
- 8) The recommendations of the Highway Construction and Engineering Division and the Transit Division for this delegation request may be modified for minor technical conflicts which are identified by details included in the submitted construction plans.
- 9) For driveways with guardhouses or gates, a reservoir capacity sufficient to accommodate a minimum of 5 vehicles must be provided. The reservoir capacity is measured from the Trafficway to the first stopping place for card readers, visitor's phones, guardhouses, etc. A reservoir area must include a space that is 12 feet wide and 22 feet long for each vehicle.
- 10) Standard forms are available for downloading from the Highway Construction and Engineering Division's web page.

Continued

- 11) The Service Development staff from the Transit Division notes that this plat is served by BC Transit Routes 22 and 36 on Northwest 136 Avenue with stop ID #4248.
- 12) The developer shall prepare and deliver all required documents, securities, deeds, easements, and agreement(s) within 18 months of approval of this delegation request. **Failure to complete this process within the 18 month time frame shall render the approval of this delegation request null and void.**

dhh

Continued



COMMUNITY DEVELOPMENT
DEPARTMENT



Phone: (954) 746-3270
Fax: (954) 746-3287

November 4, 2013

Mr. Martin Berger
Planning & Redevelopment Division
Broward County
1 North University Drive
Plantation, FL 33324

RE: Request to amend the non-vehicular access line (NVAL) of the Metropica Plat, as recorded in Plat Book 179 Page 70.

Dear Mr. Berger:

On October 28, 2013, Stearns Weaver Miller et al submitted an application for NVAL amendment for City review prior to submittal of a Delegation Request to Broward County for approval by the Board of County Commissioners. The property is Parcel D of Metropica Plat, as recorded in Plat Book 179 page 70 of the Public records of Broward County, Florida.

The Development Review Committee has reviewed this request pursuant to subsection 16-34 (e)(1)(d) of the City's Land Development Code, which allows staff to make an administrative determination. The applicant is concurrently seeking approval for Rezoning and Site Plan for Portico Apartments on Parcel D. The City of Sunrise has no objection to the removal of the south NVAL lines measuring 100 feet on the east side of Parcel D, as described in the attached Exhibits.

The proposed development is in compliance with the effective Metropica DRI Development Order adopted by City Commission on February 10, 2009 by Ordinance 732-X-09-B as amended by Ordinance 732-X-13-A on May 14, 2013. This parcel of land is located in "Area 1" which is designated for multi-family development. (Please note, the applicant has simultaneously submitted a request to the City for approval of a plat note amendment that will show a proposed level of development consistent with the DRI Development Order. This item is expected to be on the City Commission agenda for action on January 14, 2014.)

If you have any questions or require anything further, please contact me at (954) 746-3279 or jesesodia@sunrisefl.gov.

Sincerely,

CITY OF SUNRISE

Josie P. Sesodia, AICP
Assistant Director/City Planner

Attach.

cc: Maria Sanchez, Richman Group, Inc.

File: 14:06

F:\Planning_Data\MISCELLANEOUS\Correspondence - Misc\LETTERS\Misc. Letters\Portico NVAL - draft letter.docx



949A Clint Moore Road
Boca Raton, Florida 33487

SURVEYING & MAPPING
Certificate of Authorization No. LB7264

Tel: (561) 241-9988
Fax: (561) 241-5182

EXHIBIT B SKETCH AND LEGAL DESCRIPTION (NOT A SURVEY)

METROPOLITAN PLAT - PARCEL "D" EXISTING NON-VEHICULAR ACCESS LINE

LEGAL DESCRIPTION

A NON-VEHICULAR ACCESS LINE LYING ALONG THE EAST AND NORTH LINES OF PARCEL "D", "METROPOLITAN PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 179 AT PAGES 70 THROUGH 76 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING (1) AT THE SOUTHEAST CORNER OF SAID PARCEL "D", SAID POINT LYING ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, AT WHICH THE RADIUS POINT BEARS NORTH 89° 56' 56" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, ALSO BEING THE EASTERLY LINE OF SAID PARCEL "D" AND THE EASTERLY LINE OF A 3'X40' RIGHT-OF-WAY AS DEDICATED ON SAID PLAT, HAVING A RADIUS OF 2410.00 FEET AND A CENTRAL ANGLE OF 03° 07' 56", A DISTANCE OF 131.75 FEET; THENCE NORTH 85° 43' 43" WEST, ALONG A NON-RADIAL LINE, ALSO BEING THE EASTERLY LINE OF SAID PARCEL "D", A DISTANCE OF 12.00 FEET TO A POINT TO BE KNOWN HEREINAFTER AS REFERENCE POINT "A"; THENCE NORTH 85° 43' 43" WEST, A DISTANCE OF 100.00 FEET TO THE POINT OF TERMINATION.

TOGETHER WITH:

COMMENCING AT THE AFOREMENTIONED REFERENCE POINT "A", SAID POINT LYING ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, AT WHICH THE RADIUS POINT BEARS SOUTH 86° 54' 48" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, ALSO BEING THE EASTERLY LINE OF SAID PARCEL "D", HAVING A RADIUS OF 2422.00 FEET AND A CENTRAL ANGLE OF 02° 21' 57", A DISTANCE OF 100.01 FEET TO THE POINT OF BEGINNING (2), SAID POINT TO BE KNOWN HEREINAFTER AS REFERENCE POINT "B"; THENCE CONTINUE NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2422.00 FEET AND A CENTRAL ANGLE OF 02° 57' 25", A DISTANCE OF 124.99 FEET; THENCE NORTH 18° 16' 37" EAST, ALONG A NON-TANGENT LINE, A DISTANCE OF 77.00 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, AT WHICH THE

CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION SHOWN HEREON COMPLIES WITH MINIMUM TECHNICAL STANDARDS AS CONTAINED IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION.


JEFF S. HODAPP
SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS5111

Project Name:	PORTICO	DATE:	10/28/2013
JOB NO.	13114	DWG BY:	JSH
		CHK'D BY:	JEK
			SHEET 1 OF 3



949A Clint Moore Road
Boca Raton, Florida 33487

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Tel: (561) 241-9988
Fax: (561) 241-5182

EXHIBIT B SKETCH AND LEGAL DESCRIPTION (NOT A SURVEY)

RADIUS POINT BEARS SOUTH 79° 47' 12" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2410.00 FEET AND A CENTRAL ANGLE OF 00° 13' 46", A DISTANCE OF 9.65 FEET; THENCE NORTH 40° 24' 58" WEST, ALONG A NON-RADIAL LINE, A DISTANCE OF 46.54 FEET (THE LAST FIVE DESCRIBED COURSES BEING COINCIDENT WITH THE EAST LINE OF SAID PARCEL "D"); THENCE SOUTH 88° 43' 29" WEST, ALONG THE NORTH LINE OF SAID PARCEL "D", A DISTANCE OF 300.00 FEET TO THE POINT OF TERMINATION.

TOGETHER WITH:

BEGINNING (3) AT THE AFOREMENTIONED REFERENCE POINT "B"; THENCE NORTH 85° 43' 43" WEST, A DISTANCE OF 100.00 FEET TO THE POINT OF TERMINATION.

SAID LINE SITUATES IN THE CITY OF SUNRISE, BROWARD COUNTY, FLORIDA.

ABBREVIATIONS

B.C.R.	.	BROWARD COUNTY RECORDS
L	.	ARCLength
CONC.	.	CONCRETE
COR.	.	CORNER
D	.	DELTA (CENTRAL ANGLE)
D.E.	.	DRAINAGE EASEMENT
I.R.	.	IRON ROD
I.R.C.	.	IRON ROD AND CAP
L.B.	.	LICENSED BUSINESS
L.S.	.	LICENSED SURVEYOR
L.M.E.	.	LAKE MAINTENANCE EASEMENT
O.R.B.	.	OFFICIAL RECORDS BOOK
P.O.B.	.	POINT OF BEGINNING
P.O.C.	.	POINT OF COMMENCEMENT
P.B.	.	PLAT BOOK
PG.	.	PAGE
P.S.M.	.	PROFESSIONAL SURVEYOR & MAPPER
R/W	.	RIGHT-OF-WAY
U.E.	.	UTILITY EASEMENT

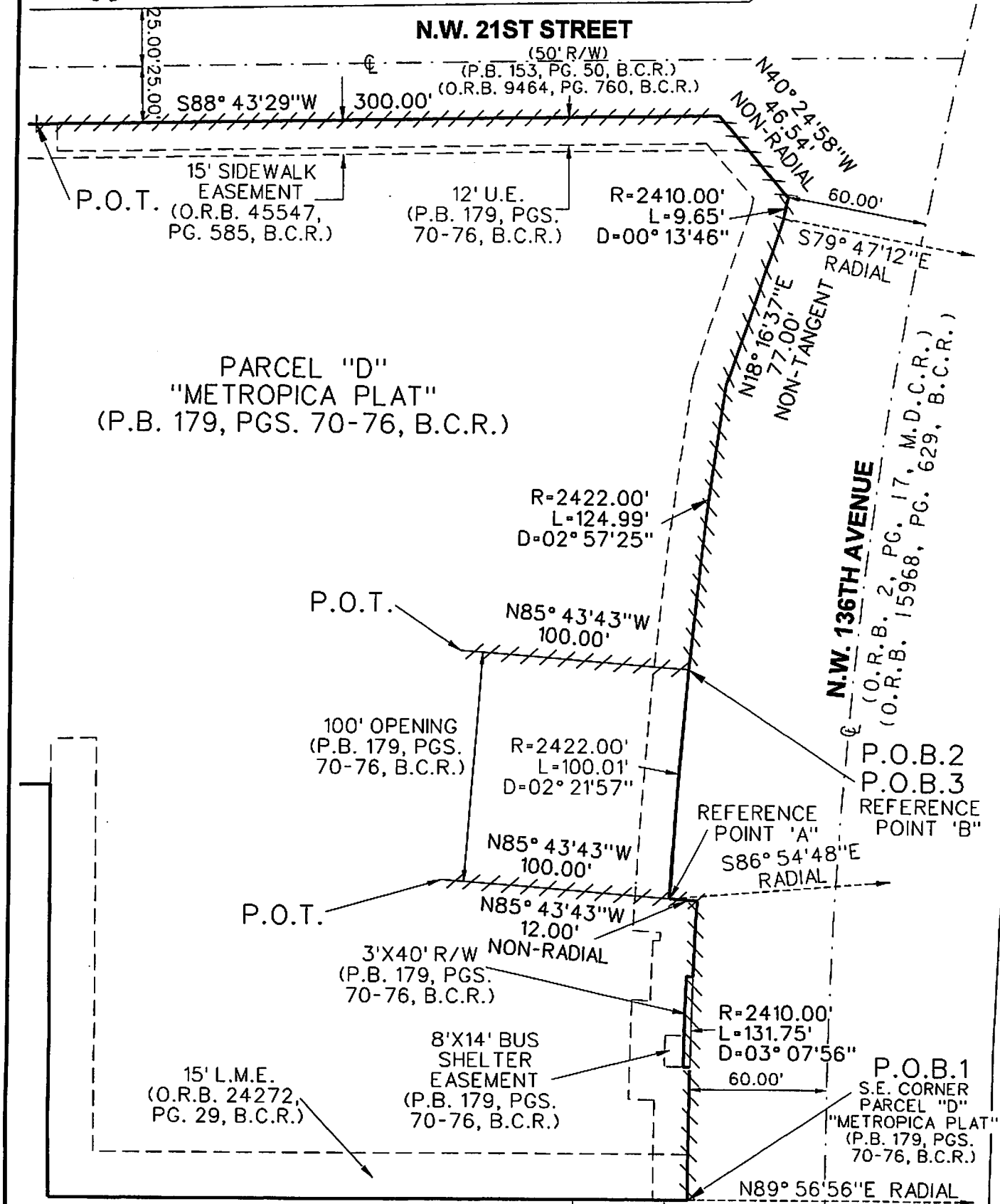
NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. NO SEARCH OF THE PUBLIC RECORDS WAS MADE IN THE PREPARATION OF THIS SKETCH AND DESCRIPTION.
3. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SAID PARCEL D, HAVING A BEARING OF NORTH 88° 43' 29" EAST, ACCORDING TO SAID PLAT.

Project Name:	PORTICO	DATE:	10/28/2013
JOB NO.	13114	DWG BY:	JSH
		CK'D By:	JEK
			SHEET 2 OF 3



EXHIBIT B SKETCH AND LEGAL DESCRIPTION (NOT A SURVEY)



JOB NO. 13114	Project Name: PORTICO	DWG BY: JSH	SCALE: 1"=60'
		CK'D By: JEK	DATE: 10/28/2013
			SHEET 3 OF 3



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Tel: (561) 241-9988
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EXHIBIT C SKETCH AND LEGAL DESCRIPTION (NOT A SURVEY)

METROPOLITAN PLAT - PARCEL "D" PROPOSED NON-VEHICULAR ACCESS LINE

LEGAL DESCRIPTION

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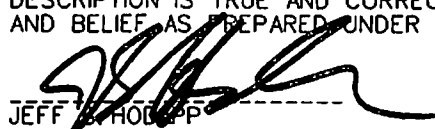
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JEFF B. HODAPP
SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS5111

Project Name:	PORTICO	DATE:	10/28/2013
JOB NO.	13114	DWG BY:	JSH
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			SHEET 1 OF 3



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SKETCH AND LEGAL DESCRIPTION (NOT A SURVEY)

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TOGETHER WITH:

BEGINNING (3) AT THE AFOREMENTIONED REFERENCE POINT "B"; THENCE NORTH 85° 43' 43" WEST, A DISTANCE OF 100.00 FEET TO THE POINT OF TERMINATION.

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Project Name:	PORTICO	DATE:	10/28/2013
JOB NO.	13114	DWG BY:	JSH
		CK'D BY:	JEK
			SHEET 2 OF 3

Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department
Planning and Redevelopment Division
**Application to Change or Waive Requirements
of the Broward County Land Development Code**

INSTRUCTIONS

This form is used to apply for changes or waivers to requirements of development permit applications processed under the Broward County Land Development Code. These include changes or waivers to the following:

ROADWAY RELATED

1. Non-Vehicular Access Lines
2. Roadway Improvements (such as turn lanes, busbays traffic signals, etc.)
3. Right-of-Way Dedications
4. Sidewalks and Paved Access
5. Design Criteria

NON-ROADWAY RELATED

6. Design Criteria
7. Waste Water Disposal/Source of Potable Water
8. Fire Protection
9. Parks and/or School Dedications
10. Impact/Concurrency Fee(s)
11. Environmental Impact Report
12. Other Changes

For your application to be officially accepted for processing and scheduled for a County Commission meeting, you must complete this application in full. The owner/agent certification (on the reverse side of this form) must be signed and notarized with the appropriate documentation attached. Please type this application or print legibly in **black ink**.

PROJECT INFORMATION

Plat/Site Plan Name Metropica Plat
Plat/Site Plan Number 057-MP-07 Plat Book - Page 179 - 70-76 (If recorded)
Owner/Applicant The Richman Group of Florida, Inc. Phone 561-832-1114
Address 477 South Rosemary Ave, Suite 301 City West Palm Beach State FL Zip Code 33401
Owner's E-mail Address sanchezm@richmancapital.com Fax # _____
Agent Perimeter Surveying & Mapping, Inc. Phone 561-241-9988
Contact Person Jeff Hodapp, P.S.M.
Address 949A Clint Moore Road City Boca Raton State FL Zip Code 33487
Agent's E-mail Address jeff@perimetersurveying.com Fax # 561-241-5182

PROPOSED CHANGES

Use this space below to provide the following information and clearly describe the proposed changes you are requesting. If you are requesting changes to a specific staff recommendation(s) listed in a Development Review Report, please specify the staff recommendation number(s). If you are requesting a waiver or variation of a provision of the Land Development Code, please cite the specific section(s).

Staff Recommendation No(s) _____

Land Development Code citation(s) _____

Have you contacted anyone in County Government regarding this request? ☒ Yes ☐ No

If yes, indicate name(s), department and date _____

David Huizenga, Plat Section, 4-26-13 (contacted by others)

Narrative explaining proposed changes in detail including the desired result and justification for the request (attach additional sheet if necessary)

We wish to remove the ~~South~~ ^{South} NVAL line extending 100' West of the entry at Parcel "D", as ~~it~~ ^{it} interfere with the proposed site plan. The vehicle reservoir depth at this entry will exceed 50'.

Please see the reverse side of this form for Required Documentation
and Owner/Agent Certification

REQUIRED DOCUMENTATION-All copies of plats, site plans, surveys or drawings must be folded to a size approximately 9" X 12"

All requests listed on the reverse side of this form must include the following:

- Letter from the applicable municipality, dated within six (6) months of this application, stating the city's position on this request.
- Six (6) folded copies of the approved, or recorded plat (a survey and site plan may be accepted for single family and duplex applications. Please consult with PER Division Staff).
- A check made payable to the Broward County Board of County Commissioners for the application fees (if applicable). Please consult the Development Permit Application Fee Schedule.

For **ROADWAY RELATED** items (1 through 5) listed under **INSTRUCTIONS** on the reverse side of this form, the following additional documents are requested:

- Six (6) folded copies of the proposed site plan which shows at a minimum the on-site traffic circulation system, adjacent roadway details, and the location of all existing and proposed driveway(s). If the site plan has not been prepared, six (6) folded copies of a drawing which clearly illustrates the proposed change(s) may be accepted, if, in the judgement of staff, the drawing demonstrates the rationale for the request. The site plan or drawing must provide relevant dimensions and must be drawn to scale.
- A valid Pre-Application approval letter from the Florida Department of Transportation is required for all roadway and/or access related applications which abut a Trafficway that is functionally classified as a State Road. This requirement includes the creation or amendment of vehicular access and/or any improvements requiring permits from the state.

For **NON-ROADWAY RELATED** items (6 through 12) listed under **INSTRUCTIONS** on the reverse side of this form, please consult with Planning & Redevelopment Division (PRD) staff for a determination of any additional required documentation.

OWNER/AGENT CERTIFICATION

State of Florida

County of Palm Beach

This is to certify that I am the owner/agent of the property described in this application and that all information supplied herein are true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to the described property at reasonable times by County personnel for the purpose of verification of information provided by owner/agent.

Signature of owner/agent [Signature]

Sworn and subscribed to before me this 28th day of October, 213

by Jeff S. Hodepp

☒ He/she is personally known to me or
☐ Has presented _____ as identification.

Signature of Notary Public [Signature]

Type or Print Name Leslie A. McCurtin



LESIE A. MCCURTIN
MY COMMISSION # EE 140289
EXPIRES: October 23, 2015
Bonded Thru Budget Notary Services

FOR PLANNING & REDEVELOPMENT DIVISION USE ONLY

Time 3:30pm Application Date 02/03/14 Acceptance Date 02/05/14

Comments Due 02/28/14 C.C. Mtg. Date 04/08/14 Fee \$ 2246

Report Due _____ Adjacent City none

☒ Plats ☒ Site Plans/Drawings ☒ City Letter ☐ FDOT Letter
☐ Other (Describe) Exhibit B,C

Title of Request amend NVAL (Parcel D)

Distribute to: ☒ Engineering ☒ Traffic Engineering ☒ Mass Transit

☐ Other _____ ☐ Other _____

Comments _____

Received by [Signature]

** (request to amend note on Parcel D
also scheduled for 04/08/14)*