

STAFF REPORT
Sawgrass Industrial Park Parcel 82
057-MP-85

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 15, 1985, for general industrial and office uses on 20.06 acres. The property is located on the northwest corner of Nob Hill Road and Northwest 44 Street, in the City of Sunrise. The plat was recorded on October 15, 1987 (P.B. 132, PG. 30).

The applicant is requesting to amend the non-vehicular access line (NVAL) on the west side of Nob Hill Road, adjacent to the north 171 feet of Tract A, to allow for a 50-foot egress opening centered approximately 129 feet south of north plat boundary. The opening will be restricted to right turns OUT only for buses and service vehicles existing the site.

According to the applicant, this request is consistent with the conceptual site plan for *Franklin Academy*, a proposed charter school (grades K-18), which is currently being processed by the City of Sunrise.

The attached email from City of Sunrise staff indicates that this request was approved by City Commission Resolution on January 13, 2015.

This request has been reviewed by the Highway Construction and Engineering Division and the Transit Division, who recommend approval of a 30-foot opening at the requested location, subject to compliance with the conditions contained in the attached memorandum.

In addition, this approval is subject to the 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: January 21, 2015

TO: Henry Sniezek, Director
Development and Environmental Regulation Division

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

Noemi Hew, Planner
Transit Division, Service Development

SUBJECT: Delegation Request: Amendment to Non-Vehicular Access Line
SUNRISE INDUSTRIAL PARK PARCEL 82 (057-MP-85)

The Highway Construction and Engineering Division and the Transit Division have reviewed the request to amend the non-vehicular access line (NVAL) along Nob Hill Road adjacent to the north 171 feet of Parcel A 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 the north 171 feet of Tract A (Folio Number 494118420010) must 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 NVAL 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).
 - C) Mortgage holder(s) name(s). If none, it should so state.

Continued

- 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 non-vehicular access line along Nob Hill Road adjacent to the north 171 feet of Parcel A except at a 30-foot opening centered 129 feet south of the north plat boundary. This opening shall be physically channelized and labeled on Exhibit C: RIGHT TURNS OUT ONLY.

DRIVEWAY REQUIREMENTS (Secure and Construct)

- 6) The channelized driveway(s) constructed within the new 30-foot opening shall be centered in the opening with a pavement width of 15 feet and inside entrance radius of 50 feet.

SIDEWALK REQUIREMENTS (Secure and Construct)

- 7) Reconstruct the existing sidewalks (including curb and gutter) along Nob Hill Road impacted by the installation of the channelized driveway.

COMMUNICATION CONDUIT/INTERCONNECT (Secure and Construct)

- 8) The developer shall be responsible for the replacement of communication conduit/interconnect that is damaged by the construction of the channelized driveway and sidewalks. The security amount for communication conduit/interconnect along Nob Hill Road shall be determined by the Traffic Engineering Division.

PAVEMENT MARKINGS AND SIGNS (Secure and Construct)

- 9) Construction of the required improvements shall include installation of pavement markings and signs. All pavement markings shall be thermoplastic. Pavement markings and signing materials shall be fully reflectorized with high intensity materials. 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.

IMPROVEMENT AGREEMENT AND SECURITY REQUIREMENTS

- 10) 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 recordation of the NVAL Amendment Agreement. The completion date for all required improvements listed as Exhibit "B" shall indicate completion prior to the issuance of Certificates of Occupancy. Alternate phasing schedules must receive prior approval from the Highway Construction and Engineering Division. The use of a non-standard agreement will require independent approval by the County Commission.

- 11) The Installation of Required Improvements Agreement (CAF#450) 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 recordation of the NVAL Amendment Agreement and/or the 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 and Engineering Division's web page at:
<http://bcegov2.broward.org/bcengineering/Plats/PlatsForms.asp>.

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

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

approval of all materials, installations and locations by the Traffic Engineering Division.

GENERAL REQUIREMENTS

- 14) The Service Development staff from the Transit Division notes that this plat is served by BCT Route #55 on Nob Hill Road (northbound).
- 15) Recommendations by the Highway Construction and Engineering Division, and the Office of Transportation for this Delegation Request may be modified for minor technical conflicts which are identified by details included in submitted 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).
 - B) State of Florida Department of Transportation:
 - 1) "Roadway and Traffic Design Standards."
 - 2) "Standard Specifications."
 - 3) "FDOT Transit Facilities Guidelines."
 - C) 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.

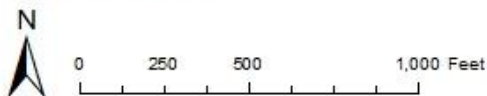
- 17) The developer shall be responsible for the cost of relocating utilities, drainage facilities, traffic control poles, interconnect cables, and related equipment as necessary to complete required improvements.
- 18) Standard forms are available on the Highway Construction and Engineering Division's web page at:
<http://www.broward.org/Publicworks/BCEngineering/Pages/Default.aspx>.
- 19) 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.**



Commission District No. 1
Municipality: Sunrise
S/T/R: 18/19/41



057-MP-85
Sunrise Industrial
Park Parcel 82



Prepared by: Planning and Redevelopment Division
Date Flown: January 2014

From: Swing, Bradley [mailto:BSwing@sunrisefl.gov]
Sent: Wednesday, January 14, 2015 11:19 AM
To: Kalus, Evy
Cc: Sesodia, Josie; Berger, Martin; 'Wendy Tuma'
Subject: Sunrise Industrial Park Parcel 82 Plat (132, 30) NVAL Amendment

Evy,

The City Commission voted 4-1 at the 1/13/15 Meeting to approve an amendment to the NVAL line for the Sunrise Industrial Park Parcel 82 Plat (132, 30).

The amendment, as indicated in the attached application and Resolution, will revise the current NVAL along the west side of North Nob Hill Road, north of NW 44th Street, to allow for a 50 foot wide opening with a center-line located approximately 129 feet south of the north plat limit allowing for right-turns out only.

I will forward the signed Resolution to you within 10 days.

Thanks,

Brad

Bradley Swing, AICP
Assistant City Planner
City of Sunrise

Community Development Department
1601 NW 136th Avenue, Building A

Sunrise, Florida 33323
954 746-3238 (Office)
954 746-3287 (Fax)
bswing@sunrisefl.gov

SUNRISE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SUNRISE, FLORIDA, RECOMMENDING BROWARD COUNTY APPROVE THE AMENDMENT TO THE NON-VEHICULAR ACCESS LINE ON THE "SUNRISE INDUSTRIAL PARK PARCEL 82" PLAT LOCATED WEST OF NORTH NOB HILL ROAD AND NORTH OF N.W. 44th STREET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the plat known as "Sunrise Industrial Park Parcel 82 Plat," was approved by the City Commission by Resolution No. 83-89 on April 12, 1983; and

WHEREAS, the owner desires to revise the non-vehicular access line (NVAL) associated with said plat; and

WHEREAS, pursuant to Section 16-34 of the City's Code, the City Commission must recommend approval, recommend approval with conditions or recommend denial to Broward County of the proposed revision to the NVAL on the "Sunrise Industrial Park Parcel 82" Plat; and

WHEREAS, Broward County requires that the City of Sunrise concur with this revision prior to a review by the Broward County Board of County Commissioners;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA:

Section 1. Approval of a Revision to the Non-Vehicular Access Line. The City Commission of the City of Sunrise does hereby recommend approval of the proposed revision to the NVAL shown on the "Sunrise Industrial Park Parcel 82" Plat to revise the current NVAL along the west side of North Nob Hill Road which is north of NW 44th Street to allow for a 50 foot wide opening with a center-line located approximately 129 feet south of the north plat limit allowing for right-turns out only. The proposed revision being more specifically described in the sketch of the Proposed NVAL Modifications, a copy of which is attached to and a made part of this Resolution as Exhibit "A."

Section 2. This revision to the NVAL is subject to the applicant obtaining approval from the Broward County Board of County Commissioners.

Section 3. The Community Development Director is authorized to transmit this Resolution to the Broward County Commission.

Section 4. Effective Date. This Resolution shall be effective immediately upon its passage.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2015.

Mayor Michael J. Ryan

Authentication:

Felicia M. Bravo
City Clerk

MOTION: _____
SECOND: _____

KERCH: _____
ROSEN: _____
SCUOTTO: _____
SOFIELD: _____
RYAN: _____

Approved by the City Attorney
as to Form and Legal Sufficiency.

Kimberly A. Kisslan

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 Sunrise Industrial Park Parcel 82

Plat/Site Plan Number 057-MP-85 Plat Book - Page PB 132 PG 30-31 (If recorded)

Owner/Applicant Discovery Schools, Inc. (Applicant) Phone 954-607-3682

Address 1120 SE Third Avenue City Ft. Lauderdale State FL Zip Code 33316

Owner's E-mail Address rogers.tom@discoveryschools.org (Applicant) Fax # _____

Agent Kimley-Horn Phone 954-535-5106

Contact Person John J. McWilliams, P.E.

Address 600 North Pine Island Road, Suite 450 City Plantation State FL Zip Code 33324

Agent's E-mail Address John.McWilliams@kimley-horn.com Fax # _____

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) N/A

Land Development Code citation(s) N/A

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

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

David Huizenga, Engineer III, BCHCED, March 10, 2014

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

Revise the current NVAL along the west side of Nob Hill Road to allow for a 50' wide opening with a center-line located approximately 129 feet south of the north plat limit allowing for right-turns out only.

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

REQUIRED DOCUMENTATION: Submit one (1) original of each document and electronic copy of each item listed below. Each document listed below must also be submitted electronically as a separate pdf on a CD, flash drive, etc.

All requests listed on this application must include the following documents:

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

For ROADWAY RELATED items (1 through 5) listed under INSTRUCTIONS on Page 1 of this form, the following additional documents are also required:

- The proposed site plan (2 original) which shows, at a minimum, the on-site traffic circulation system, adjacent roadway details, and the location of all existing and proposed driveway(s). The site plan must provide relevant dimensions and must be drawn to scale.
- Signed and sealed drawings (2 original) clearly illustrating the proposed change(s). The drawings 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 Page 1 of this form, please consult with Planning & Redevelopment Division (PRD) staff for a determination of any additional required documentation.

OWNER/AGENT CERTIFICATION

State of Alabama

County of Jefferson

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.

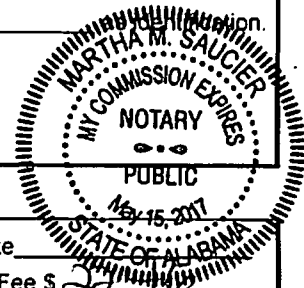
Signature of owner/agent [Signature]

Sworn and subscribed to before me this 21 day of August, 2014

by C. Richard Byrd III He/she is personally known to me or
 Has presented _____

Signature of Notary Public [Signature]

Type or Print Name Martha M. Saucier



FOR PLANNING & REDEVELOPMENT DIVISION USE ONLY

Time _____ Application Date 01/14/15 Acceptance Date 01/16/15
 Comments Due 02/06/15 C.C. Mtg Date 03/10/15 Fee \$ 2500
 Report Due _____ Adjacent City none
 Plats Site Plans/Drawings City Letter FDOT Letter
 Other (Describe) RESO & EMAIL

Title of Request amend NVAL

Distribute to: Engineering Traffic Engineering Mass Transit
 Other _____ Other _____

Comments _____

Received by [Signature]

January 15, 2015

Ms. Evangeline G. Kalus, Senior Planner
Development Management and Environmental Review Section
Planning and Redevelopment Division
Environmental Protection and Growth Management Department
Governmental Center West
1 North University Drive
Building A, Suite 102
Plantation, FL 33324



Urban Planning and Design
Landscape Architecture
Communication Graphics

**RE: FRANKLIN ACADEMY - SUNRISE
Non-Vehicular Access Line Amendment**

Dear Ms. Kalus,

Please accept this request, on behalf of the property owner, HealthSouth Sunrise Rehabilitation Hospital, LLC, a Delaware limited liability company and the successor to HealthSouth of Ft. Lauderdale Limited Partnership, and applicant, Discovery Schools, Inc., (contract purchaser). The applicant is requesting approval of an amendment to the non-vehicular access line on the "Sunrise Industrial Park Parcel 82" plat located west of North Nob Hill Road and North of N. W. 44th Street.

The applicant, Discovery Schools, Inc., is seeking to open the Franklin Academy charter school on the site. To accomplish this, the applicant requested Special Exception Use approval from the City of Sunrise for a school on a site less than 10 acres pursuant to the I-1 Zoning District. The City Commission approved the Special Exception Use Approval on January 13, 2015. The proposed Franklin Academy will provide single-gender education for up to 1,340 students in grades Kindergarten through 8th grade.

In addition to requesting approval of the Special Exception Use, the applicant is also requested a Non-Vehicular Access Line amendment. The Sunrise City Commission approved a resolution recommending Broward County approve the amendment to the non-vehicular access line on the "Sunrise Industrial Park Parcel 82" plat on January 13, 2015. The purpose of this request is to allow for an egress point approximately 129 feet south of the northern plat boundary (Sunrise Industrial Park Parcel 82 Plat, P.B. 132, Pg. 30) on North Nob Hill Road. The egress point would be restricted to right-turns only and would be for the buses and service vehicles exiting the site. This request is consistent with the site plan currently being processed by the City of Sunrise.

Thank you for your continued assistance with the project. If you have any questions regarding the request, do not hesitate to contact me.

Sincerely,
URBAN DESIGN KILDAY STUDIOS

A handwritten signature in black ink that reads "Wendy Tuma". The signature is written in a cursive, flowing style.

Wendy Tuma, PLA
Principal

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LCC000035
