



Public Works Department

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

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M E M O R A N D U M

DATE: February 26, 2020

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 Findings of Adequacy – Letter to Proceed
Plantation 441 (068-MP-07)

The Highway Construction and Engineering Division and the Transportation Department, Transit Division have reviewed the application for a new Findings of Adequacy (FOA) for the subject plat. Our review included the information contained in the application, the property survey, the site plan (or conceptual access plan), the recorded plat, and the Development Review Report approved by the County Commission on December 12, 2006. Our review also included changes to the adjacent roadways and changes on the adjoining properties.

As a result of our review, staff has determined that new and amended plat requirements are necessary to ensure safe and adequate access between the adjoining Trafficway(s) and plat to comply with the adequacy standards of the Broward County Land Development Code. Staff has the following comments, findings, and recommendations:

A. NEW REQUIREMENTS RECOMMENDED AS CONDITIONS OF APPROVAL FOR THE NEW FINDING OF ADEQUACY (NVAL MODIFICATION)

1. NON-VEHICULAR ACCESS LINE AMENDMENT REQUIREMENTS (NVAL Amendment Agreement)

- a. The property owners of (Folio Number 504112370010) shall 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.
- b. The applicant shall prepare the legal descriptions for the Exhibits to the NVAL Amendment Agreement according to the details outlined in this report.
- c. The applicant shall submit an Opinion of Title from an attorney or a Title Certificate from a title company showing the following information:
 - i. The same legal description as the affected portion of the recorded plat.
 - ii. Record owner(s) name(s).
 - iii. Mortgage holder(s) name(s). If none, it should so state.
 - iv. The date through which records were searched (within 30 days of submittal).
 - v. Original signature and/or seal.
- d. 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.
- e. Exhibit "C" to the Non-Vehicular Access Line Agreement shall describe and illustrate a new non-vehicular access line along the ultimate right-of-way for SR 441 except for
 - i. a 25-foot channelized opening with centerline located approximately 157 feet south of the north plat limits. This opening is restricted to and physically channelized for right turns IN only. This opening shall be labeled on Exhibit C: RIGHT TURNS IN ONLY.
 - ii. a 25-foot channelized opening with centerline located approximately 280 feet south of the north plat limits. This opening is restricted to and physically channelized for right turns OUT only. This opening shall be labeled on Exhibit C: RIGHT TURNS OUT ONLY.
 - iii. Design of this turn lane is subject to the approval of FDOT.

2. NEW RIGHT-OF-WAY REQUIREMENTS (Additional Security and Agreement)

- a. The driveway constructed within the 25-foot opening shall be centered in the opening and channelized with a pavement width of 15 feet and inside entrance radius of 25 feet.

3. NEW TRAFFICWAY IMPROVEMENTS (Additional Security and Agreement)

- a. The physical channelization of the driveway in any 25-foot opening on SR 441 as specified under the non-vehicular access line requirements.
- b. 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.

4. SIDEWALK REQUIREMENTS (Additional Security and Agreement)

- a. Along SR 441 adjacent to this plat.

5. NEW PAVEMENT MARKING AND SIGNING REQUIREMENTS (Additional Security and Agreement)

- a. 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.

6. NEW COMMUNICATION CONDUIT/INTERCONNECT (Additional Security and Agreement)

- a. 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 SR 441 shall be determined by the Traffic Engineering Division.

7. IMPROVEMENT AGREEMENT AND SECURITY REQUIREMENTS

- a. 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.
- b. 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:
 - i. 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.
 - ii. 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.
 - iii. All forms are available on the Highway Construction & Engineering Division's web page at:
<http://bcegov2.broward.org/bcengineering/Plats/PlatsForms.asp>

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

- a. 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.

- b. 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.

9. GENERAL RECOMMENDATIONS

- a. 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.
- b. 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:
 - i. 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."
 - c. B) Broward County: "Minimum Construction Standards for Roadways Under Broward County Jurisdiction" (Exhibit 25A of Section 25.1, Broward County Administrative Code).
 - d. 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.
 - e. 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>.

B. NEW REQUIREMENTS RECOMMENDED AS CONDITIONS OF APPROVAL FOR THE NEW FINDING OF ADEQUACY (NOTE AMENDMENT)

1. The Highway Construction Engineering Division has no objection to the modification of the plat note as requested.