



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: November 13, 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 Plat – Letter to Proceed
Aviara East Pompano (019-MP-19)

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 McNab Road except at the following:
 - A) a 60-foot (shared) opening located at the west plat limits. Said non-access line shall extend along sides of the ingress/egress easement except for the southern 24 feet. This opening is part of a proposed 100-foot opening; the remainder of 100-foot opening and the ingress/egress easement will be on the property adjacent to the west plat limits.
 - B) a 40-foot opening with centerline located approximately 575 feet east of the west plat limits. This opening is restricted to and physically channelized for right turns IN only.
- 3 Along the ultimate right-of-way for Dixie Highway except at 50-foot opening with centerline located approximately 38 feet north of the south plat limits.
This opening is restricted to right turns only.
- 4 Said non-access line will include a corner chord at the intersection of McNab Road and Dixie Highway.

RIGHT-OF-WAY REQUIREMENTS (Dedicate)

- 5 Right-of-way for a corner chord based on a 30-foot radius at the intersection of McNab Road and Dixie Highway.

ACCESS EASEMENT REQUIREMENTS

- 6 Provide a 60-foot-wide by 124-foot-deep ingress/egress easement in the 60-foot opening on McNab Road. The dimensions may be modified to more closely approximate the proposed driveway dimensions. Any proposed modifications are subject to the review and approval of the Highway Construction and Engineering Division prior to plat recordation.
- 7 Provide a 24-foot-wide access easement connecting the southernmost 24 feet of the aforementioned easement to the parcel to the west. Any proposed modifications are subject to the review and approval of the Highway Construction and Engineering Division prior to plat recordation.
- 8 The aforementioned easements shall be noted within the dedications portion of the plat.

ACCESS REQUIREMENTS

- 9 The minimum distance from the non-vehicular access line of McNab Road or Dixie Highway, 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 50 feet, unless previously noted.
- 10 A channelized driveway shall consist of one lane with a pavement width of 15 feet, with minimum entrance radii of 50 feet.
- 11 Any driveway in the shared 100-foot opening: shall be centered in the opening, shall consist of a minimum of two egress lanes, each 12 feet in width, and one 16-foot-wide ingress lane, with minimum entrance radii of 35 feet, at build-out. Until such time, the driveway shall consist of a two-way driveway with a minimum pavement width of 24 feet and a minimum entrance radius of 35 feet.

TRAFFICWAYS IMPROVEMENTS (Secure and Construct)

- 12 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.
- 13 The physical channelization of the driveway in the 40-foot opening on McNab Road as specified under the non-vehicular access line requirements.
- 14 The driveway in the 100-foot opening: shall be centered in the opening, shall consist of a minimum of two egress lanes, each 12 feet in width, and one 16-foot-wide ingress lane, with minimum entrance radii of 35 feet, at build-out. Until such time, the driveway shall consist of a two-way driveway with a minimum pavement width of 24 feet and a minimum entrance radius of 35 feet.

SIDEWALK REQUIREMENTS (Secure and Construct)

- 15 Along McNab Road adjacent to this plat.
- 16 Along Dixie Highway adjacent to this plat.

COMMUNICATION CONDUIT/INTERCONNECT/SIGNAL (Secure and Construct)

- 17 The developer shall be responsible for replacement of communication conduit/interconnect/signal that is damaged by construction of the required improvements. The security amount shall be determined by the Traffic Engineering Division.

PAVEMENT MARKINGS AND SIGNS (Secure and Construct)

- 18 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

- 19 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)

- 20 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.
- 21 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

- 22 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.
- 23 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>.

- 24 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.

1 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. For consistency, remove the deed calls currently shown on the plat drawing, or show all the deed calls in the description.
- B. 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. Additionally, the bearing in the plat note that calls out the reference line differs from the bearing on that line shown on the plat drawing. Review and revise as necessary.
- C. Bearings and distance 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. Show the arc distance dimension on the westerly north line of PARCEL "A" in the detail.
- D. Two land ties to two independent land corners or one land corner and one other recorded corner shall be shown. Show found monumentation at both corners.
- E. Show found monumentation at all land corners depicted on the plat drawing or indicate that no monumentation was recovered.
- F. 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>.
- G. The surveyor shall submit digital plat information (after all corrections are completed and Highway Construction & Engineering Division staff requests digital information).

2 RIGHT OF WAY DELINEATION AND DEDICATION LANGUAGE

- A. Dedication language shall clearly dedicate all right-of-way and easements shown on the plat.

- B. Mortgagee dedication shall clearly join in the dedication of right-of-way.
- C. Proposed right-of-way shall be clearly labeled and dedicated by the plat. Show labels for PARCELS “C” and “D” on the plat drawing to indicate that they are right-of-way dedicated by this plat.
- D. Depict the entire right-of-way width of McNab Road (S.W. 15th Street) and Dixie Highway adjacent to the plat. Label the Right-of-Way shown with all recorded instruments which establish public rights-of-way adjacent to this plat. Refer to the Adjacent Right-of-Way Report.
Verify the east-west locations of the right-of-way parcels created by the instruments recorded in O.R.B. 1360, PG. 77, B.C.R. and O.R.B. 9190, PG. 24, B.C.R. Review and revise as necessary.
- E. Obtain and provide copy of the latest FDOT Right-of-Way map for Dixie Highway 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. All proposed easements shall be clearly labeled and dimensioned. Utility easements should be granted to the public (or to the City/Town – but not to any specific utility company). Utility easements created by the plat should NOT be located within any road right-of-way.
- G. 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.

3 TITLE CERTIFICATION AND DEDICATION SIGNATURE BLOCKS

- A. 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 title certificate or an attorney's opinion of title shall be updated to reflect a comprehensive search of the Public Records within 30 days prior to plat recordation. If the updated title shows any change to property ownership, then a new dedication on the plat mylar shall be executed by the new owner(s) with the proper acknowledgements. If the updated title shows any changes to or additional mortgage holders, then a new Mortgagee consent shall be executed with the proper acknowledgements.

4 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. Verify the Broward County Records Instrument number shown as the source of Deed information and revise as necessary.
- C. Show DETAIL “A” to a standard engineering scale as per Broward County Land Development Code Sec. 5-189(a)(29).

5 SIGNATURE BLOCKS

- A. 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, Part 1, Florida Statutes. Revise the signature block to replace Richard Tornese’s information with:
 - Alejandro S. Perez
 - Acting County Engineer
 - Professional Engineer
 - Florida Registration Number 33217
- B. The original plat mylar shall be submitted to the Highway Construction and Engineering Division accompanied by a copy of City of Pompano Beach conditions of approval (Agenda Report or Resolution listing all of the conditions of municipal plat approval) shall be submitted prior to plat recordation.

6 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.