



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: October 6, 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: Letter to Proceed
AMOPT LLC (007-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 Federal Highway. Said non-access line will include a corner chord and extend along SW 10th Street for a minimum of 50 feet beyond the chord.
- 3 Along the ultimate right-of-way of Dixie Highway. Said non-access line will include a corner chord and extend along the entire length of SW 2nd Avenue.

RIGHT-OF-WAY REQUIREMENTS (Dedicate)

- 4 Six (6) feet of right-of-way to comply with the Broward County Trafficways Plan on Federal Highway, a 92-foot collector.
- 5 Right-of-way for a corner chord based on a 30-foot radius at the intersection of Dixie Highway and SW 2nd Avenue.
- 6 Right-of-way for a corner chord based on a 30-foot radius at the intersection of Federal Highway and SW 10th street.
- 7 A portion of the right-of-way to be dedication to meet the Trafficways Plan is located along a roadway functionally classified as a State of Florida right-of-way. The area to be dedicated shall be noted on the plat as a distinct parcel and specific dedication language shall be provided on the dedication page of the plat. Please contact the State or the County for the specific conveyance text.

TRAFFICWAYS IMPROVEMENTS (Secure and Construct)

- 8 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)

- 9 Along Dixie Highway and adjacent to this plat.
- 10 Along Federal Highway and adjacent to this plat.

COMMUNICATION CONDUIT/INTERCONNECT (Secure and Construct)

- 11 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 Federal Highway shall be determined by the Traffic Engineering Division.

PAVEMENT MARKINGS AND SIGNS (Secure and Construct)

- 12 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

- 13 As previously noted, this plat is a replat of Taco Bell at Dania plat. At the time of plat recordation, the previous property owner entered into a Security/Lien Agreement for Required Improvements that was recorded in Book 29258 Page; and posted security in the amount of \$3,631 for construction of certain improvements. The property was not developed as anticipated under the previous plat and the improvements have not been completed. The improvements listed in this Development Review Report are intended to replace and supersede the previous plat requirements and will be covered under a new Security/Lien Agreement and security. Approval of this replat and subsequent recordation should include authorization for Highway Construction and Engineering Division staff to process a release of the previous Agreement and security.

- 14 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)

- 15 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 for any county jurisdictional roadway. 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.

- 16 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 for any state jurisdictional roadway. Construction shall be subject to inspection and approval by the County.
- 17 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

- 18 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.
- 19 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>.

- 20 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.

21 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. Verify the relationship between the east line of the southwest 1/4 of Section 3-51-42 and the centerline of Federal Highway adjacent to the plat. The plat recorded in P B. 166, PG. 32, B.C.R. appears to indicate they may not be coincident. Review and revise as necessary.
 - 2. Review the bearings shown on the centerlines of SW 10TH Street, S.W. 2nd Avenue and West Dixie Highway abutting the plat. They appear not to be parallel with the corresponding plat boundary lines, whereas the right-of-way widths seem to indicate that they should be parallel. Revise as necessary.
- B. Review the bearings on the apparent easterly and westerly extensions of the north plat boundary line that intersect the centerlines of South Federal Highway and West Dixie Highway and revise as necessary.
- C. Full dimensioning and square footage shall be shown on all right-of-way dedicated by the plat.
- D. Two land ties to two independent land corners or one land corner and one other recorded corner shall be shown.
 - 1. Review the tie from the plat to the west 1/4 corner of Section 3-51-42. It differs from the tie determined by Broward County Highway Construction and Engineering Division staff and ties shown on adjacent plats. Additionally, the tie on the plat differs from the ties shown on the survey submitted with this plat. Consider showing the ties to land corners as dimensions along the applicable land lines. Review and revise as necessary.

- E. 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>.
- F. The surveyor shall submit digital plat information (after all corrections are completed and Highway Construction & Engineering Division staff requests digital information).
- G. Review Surveyor's Note #5 as it pertains to the bearing on the Basis of Bearings reference line. The bearing in the note differs from the bearing on that line shown on the plat drawing. Review and revise as necessary.

22 RIGHT OF WAY DELINEATION AND DEDICATION LANGUAGE

- A. Depict the entire right-of-way width of South Federal Highway, West Dixie Highway, S.W. 2nd Avenue and S.W. 10th Street adjacent to the plat. Label the right-of-way shown with all recorded instruments which establish public rights-of-way adjacent to this plat.
- B. Obtain and provide copy of the latest FDOT Right-of-Way maps for South Federal Highway and West Dixie Highway adjacent to the plat. Add labels for same indicating the State road designation, roadway section number, sheet number, and the latest date of revision.
- C. Centerlines of right-of-way and construction (if they are different), widths and bearings shall be shown for South Federal Highway and West Dixie Highway.

23 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>

24 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. Remove Surveyor's Notes 2a) IF A BUILDING PERMIT...& 2B) IF CONSTRUCTION FOR... as these two notes are no longer required to be shown on plats.

- 25 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.