



Public Works Department

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

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M E M O R A N D U M

DATE: May 12, 2022

TO: Josie Sesodia, Director
Urban Planning Division

FROM: David (D.G.) McGuire, Project Manager
Plat Section, Highway Construction and Engineering Division

Noemi Hew, Planner
Transportation Department, Service Development

SUBJECT: Delegation Request: Modify Conditions of Plat Approval
(Amendment to Non-Vehicular Access Line)
Tara plat (015-UP-94)

The Highway Construction and Engineering Division (HCED) and the Transportation Department, Transit Division, have reviewed the application for modifications to the conditions of plat approval for the subject plat. In part, the application is a request to amend the non-vehicular access lines (NVAL) along Griffin Road and SW 184th Avenue adjacent to the 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. Our review also included changes to the adjacent roadways and changes on the adjoining properties.

The access for this property is currently provided by platted openings onto Southwest 184 Avenue and Southwest 49 Street (currently unimproved road rights-of-way). At this time, the property is under development and the applicant is requesting to relocate plat access from Southwest 184 Avenue to Griffin Road. Specifically, this request deletes three 50-foot openings and all associated roadway improvements on Southwest 184 Avenue, including required turn lanes, and provides access through a new 50-foot roadway connection onto Griffin Road.

Since the time that the plat was approved and recorded, the County has improved and widened Griffin Road to a 4-lane divided facility including turn lanes and a traffic signal at Bonaventure Boulevard (Southwest 184 Avenue).

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The applicant is also requesting to delete the following improvements required at the time of the original plat approval:

- Secure and construct sidewalks along Southwest 184 Avenue and Griffin Road, adjacent to the plat;
- Secure signalization improvements at the intersection of Griffin Road and Southwest 184 Avenue;
- Secure and construct pavement markings and signs for the plat's improvements; and
- Install nine (9) fire hydrants along the interior roadways of this plat as required by the Broward County Fire Marshal's Office for fire protection facilities.

Staff has reviewed this request and, recommends **APPROVAL**, subject to the construction of a new eastbound right turn lane and driveway connection onto Griffin Road at the west plat boundary, and as noted within this memorandum.

Staff is recommending approval because the current alignment of Bonaventure Boulevard and the geometry of Griffin Road do not provide sufficient public right-of-way for construction of the south leg of the intersection (Southwest 184 Avenue) in a manner that provides safe and adequate access to the site as required under the Land Development Code.

Staff also recommends **APPROVAL** of the request to delete the Broward County fire protection requirements, since this plat is no longer located in the Broward Municipal Services District, and is now subject to the Town of Southwest Ranches' fire protection requirements.

Staff also recommends **APPROVAL** of the request to delete all recommendations noted within the November 10, 2015 delegation request.

The applicant is advised by the Highway Construction and Engineering Division that a lien was recorded on this property as security for the required offsite road improvements and traffic signalization requirements (O. R. Book 25909, Page 650 and O. R. Book 25909, Page 660). The security amount must be re-calculated and the lien replaced with an acceptable security in the form of a letter of credit, cash, or check (cashier's, certified, or registered), prior to the issuance of a building permit for any construction. The Board of County Commissioners, by virtue of a vote in the affirmative, allows for the release of the offsite road improvements agreement and the traffic signalization agreement (O. R. Book 25909, Page 650 and O. R. Book 25909, Page 660).

The current request includes a modification to the NVAL that presupposes the vacation of area reserved for a southbound right turn lane on SW 184th Avenue and the right of way internal to the plat. The recommendations noted herein suppose the approval of the vacation, as well. However, this delegation request shall be rendered null and void if the subject vacation has not been approved by the Board of County Commissioners on or before all approved extensions have been exhausted and the final expiration date or the request.

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 recommends APPROVAL of the proposed NVAL amendment subject to the following:

NON-VEHICULAR ACCESS LINE AMENDMENT AGREEMENT

1. The property owners of the Tara Plat (Folio Number 503936150170) must fully execute the Amendment to Nonvehicular Access Lines Agreement (BCF#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.
 - 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

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:

5. Exhibit "C" to the NVAL Amendment Agreement shall describe and illustrate a new non-vehicular access line along Griffin Road adjacent to the plat except at the following openings:
 - a. Along the ultimate right-of-way for Griffin Road except at 50-foot opening with centerline located approximately 25 feet east of the west plat limits.

This opening is restricted to right turns only.

- b. Along the ultimate right-of-way for SW 184th Avenue. Said non-access line will include corner chord

ACCESS EASEMENT REQUIREMENTS (Separate Instrument)

6. The property owners of Tara Plat (Folio Number 503936150170) must fully execute the Declaration of Restrictive Covenants for Private Roadways and Access (BCF#463) and submit it to the Highway Construction and Engineering Division for review and approval. The agreement shall provide for a 50-foot wide connecting the existing internal roadway to Griffin 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.

ACCESS REQUIREMENTS

7. The minimum distance from the non-vehicular access line of Griffin Road, at any ingress or egress driveway, to the outer edge of any interior service drive, gate, or parking space with direct access to such driveway shall be 100 feet.
8. For the two-way driveway that will be centered in a 50 foot opening: the minimum pavement width shall be 24 feet, the minimum entrance radius shall be 30 feet.

TRAFFICWAYS IMPROVEMENTS (Secure and Construct)

9. 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.

TURN LANE IMPROVEMENTS (Secure and Construct)

10. Eastbound right turn lane on Griffin Road at the 50-foot opening with 50 feet of storage and 50 feet of transition.

SIDEWALK REQUIREMENTS (Secure and Construct)

11. Along Griffin Road adjacent to this plat.

COMMUNICATION CONDUIT/INTERCONNECT (Secure and Construct)

12. 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 Griffin Road shall be determined by the Traffic Engineering Division.

PAVEMENT MARKINGS AND SIGNS (Secure and Construct)

13. 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

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 (BCF#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.
15. 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)

- 16. 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.
- 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. 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.

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