



Public Works Department
HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION
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MEMORANDUM

DATE: March 26, 2024

TO: Josie Sesodia, Director
Planning and Development Management Division

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

Jason McKoy, Staff Engineer
Capital Programs Division, Transportation Department

SUBJECT: Delegation Request: Modify Conditions of Plat Approval
(Amendment to Non-Vehicular Access Line)
Pompano Park Racino plat (058-MP-07)

The Highway Construction and Engineering Division 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 line (NVAL) along and SW 3rd Street (Racetrack Road) 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, if available (Unavailable). 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 recommends APPROVAL of the proposed NVAL amendment subject to the following:

NON-VEHICULAR ACCESS LINE AMENDMENT AGREEMENT

1. The property owners of Pompano Park Racino plat (Folio Numbers 494203350010, 494203350011, and 494203350040) 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

5. Exhibit "C" to the NVAL Amendment Agreement shall describe and illustrate a new non-vehicular access line along SW 3rd Street (Racetrack Road) adjacent to the plat except at the following openings:
 - a. A 210-foot opening centered 115 feet east of the west plat boundary on SW 3rd Street. The NVAL shall extend south along the west side of the 210-foot opening a minimum of 300 feet and along the east side of the 210-foot opening a minimum of 100 feet.

ACCESS REQUIREMENTS (Construct)

6. The minimum distance from the non-vehicular access line of SW 3rd Street, at the 210-foot opening, to the outer edge of any interior service drive, gate, or parking space with direct access to such driveway shall be 300 feet for the southbound travel lane. A curbed, raised median shall separate the northbound and southbound traffic for the entire 300 feet with no breaks or openings.

TRAFFICWAYS IMPROVEMENTS (Secure and Construct)

7. 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)

8. Along SW 3rd Street (Racetrack Road) adjacent to this plat.

SIGNALIZATION IMPROVEMENTS (Secure Construction)

9. Any necessary modifications to the existing traffic signals along Powerline Road (SR 845) adjacent to the plat to provide for the required improvements.

COMMUNICATION CONDUIT/INTERCONNECT (Secure and Construct)

10. 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 Powerline Road (SR 845) and SW 3rd Street (Racetrack Road) shall be determined by the Traffic Engineering Division.

PAVEMENT MARKINGS AND SIGNS (Secure and Construct)

11. 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

12. 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 of all parcels except the Industrial Parcel. 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.

13. 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)

14. 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 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.
15. 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

16. 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.
17. 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>.

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