



Public Works Department

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

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MEMORANDUM

DATE: February 3, 2025

TO: Josie Sesodia, Director
Urban Planning Division

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

Jason McKoy, Staff Engineer
Capital Programs Division, Broward County Transportation
Department

SUBJECT: Delegation Request: Modify Conditions of Plat Approval
(Amendment to Non-Vehicular Access Line)
U.S. Oncology Center - Sunrise (032-MP-06)

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 NW 44th Street 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.

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

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:

1. The property owners of US Oncology Center Sunrise (Folio Number 494120610010) must fully execute the Amendment to Nonvehicular Access Lines Agreement (BCF457) 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 NW 44th Street adjacent to the plat except at the following openings:
 - a. Along the ultimate right-of-way for NW 44th Street except at a 75-foot-wide opening located at the east plat limits and extending 100 feet south along a new access easement.
 - b. No other modifications to the NVAL or plat recommendations are permitted.

ACCESS EASEMENT REQUIREMENTS (Separate Instrument)

6. The property owners of US Oncology Center Sunrise (Folio Number 494120610010) must fully execute the Declaration of Restrictive Covenants for Private Roadways and Access (CAF #463) and submit it to the Highway Construction and Engineering Division for review and approval. The agreement shall provide for a 75-foot-wide by 124-foot-deep ingress/egress easement in the 75-foot opening on NW 44th Avenue. 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.

GENERAL REQUIREMENTS

7. 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.
8. 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).
 - a. State of Florida Department of Transportation:
 - b. "Roadway and Traffic Design Standards."
 - c. "Standard Specifications."
 - d. "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>.

9. 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.

Delegation Request: Modify Conditions (NVAL)
U.S. Oncology Center - Sunrise (032-MP-06)
Page 4 of 4

10. No Note Amendment may be recorded at public record until the NVAL agreement has been recorded or they may be recorded concurrently.

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