

STAFF REPORT
Windmill Ranch Estates – Parcel E
044-PL-79

A request to amend a platted non-vehicular access line has been filed with the Planning and Development Management Division. This plat was approved by the County Commission on December 18, 1979 for 396 single family units, private recreation, a school, a park, commercial, and a fire station on 860 acres. This request is on Parcel E located at the southwest corner of Bonaventure Boulevard and Royal Palm Boulevard, in the City of Weston.

The applicant is requesting to amend the non-vehicular access line to allow for a right-turn in/right turn-out service driveway along Bonaventure Boulevard for a proposed cellular tower. The proposed 20-foot opening is located approximately 420 feet south of the west end of the corner chord at the intersection of Bonaventure Boulevard and Royal Palm Boulevard.

The attached letter from the City of Weston shows the city has no objection to this request.

Staff from the Highway Construction and Engineering Division and the Transit Division have reviewed this request and recommend **APPROVAL** subject to the conditions contained in the attached memorandum from these Divisions, which recommends the applicant to meet the standards of the Broward County Development Code at the time of permit.

In addition, this approval is subject to the Board authorizing the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

Finally, the applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

KDL





Daniel J. Stermer
Mayor

Toby Feuer
Commissioner

Thomas M. Kallman
Commissioner

Margaret Brown
Commissioner

Byron L. Jaffe
Commissioner

John R. Flint
City Manager/CEO

November 7, 2017

John J. Williams, P.E.
Kimley-Horn
600 North Pine Island Road, Suite 450
Plantation, Florida 33324

RE: *Windmill Ranch Estates / Weston MAC Plat Amendment, 2300
Royal Palm Boulevard*

Dear Mr. Williams:

Please be advised that the Weston City Commission approved your request for a letter of no objection at the November 6, 2017 City Commission meeting. Therefore, the City of Weston has no objection to your request to amend the Windmill Ranch Estates plat to eliminate a portion of the non-vehicular access be (NVAL) along Bonaventure Boulevard southwest of Royal Palm Boulevard to allow a right turn in and a right turn out service driveway to support the proposed 130 foot stealth telecommunication tower to be placed on the property located at 2300 Royal Palm Boulevard, Weston, Florida

Sincerely,

CITY OF WESTON


ssinatra@cgasolutions.com
Sarah Sinatra Gould, AICP
Director of Development Services

c/o Calvin, Giordano & Associates, Inc.
1800 Eller Drive, Suite 600
Ft. Lauderdale, FL 33316
(954) 921-7781



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 29, 2017

TO: Josie Sesodia, Director
Planning and Development Management 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)
Windmoll Ranch Estates (044-PL-79)

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 Bonaventure Boulevard adjacent to the plat. Our review included the information contained in the application, the property survey, the 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

1. The property owners of Windmill Estates (Folio Number 504020014010) must fully execute the Amendment to Nonvehicular Access Lines Agreement (CAF #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 Bonaventure Boulevard adjacent to the plat except at the following openings:
 - a. A 20-foot opening centered 420 feet south of the west end of the corner chord at the intersection of Bonaventure Boulevard and Royal Palm Boulevard. This opening shall be labeled on Exhibit C: RIGHT TURNS ONLY.
 - b. A 50-foot opening centered 685 feet south of the west end of the corner chord at the intersection of Bonaventure Boulevard and Royal Palm Bouelvard. This opening shall be labeled on Exihibit C: RIGHT TURNS ONLY.

ACCESS REQUIREMENTS

6. The minimum distance from the Ultimate Right-of-Way line of Bonaventure Boulevard, at any driveway in the 20-foot opening, to the outer edge of any interior service drive or parking space with direct access to such driveway shall be 25 feet.

TRAFFICWAYS IMPROVEMENTS (Secure and Construct)

7. Any driveway in the 20-foot opening: shall be centered in the opening, shall consist of a single 12-foot in width with minimum entrance radii of 25 feet.

SIDEWALK REQUIREMENTS (Secure and Construct)

8. Reconstruct the existing sidewalks (including curb and gutter) along Bonaventure Boulevard in those locations impacted by the new driveway.

PAVEMENT MARKINGS AND SIGNS (Secure and Construct)

9. 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

10. County Commission Policy requires a recordable agreement listing all of the plat 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 recordation of the NVAL Amendment Agreement. 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.
11. 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://bcegov2.broward.org/bcengineering/Plats/PlatsForms.asp>

IMPROVEMENT PLAN SUBMITTAL REQUIREMENTS

12. The 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.

GENERAL REQUIREMENTS

13. The Traffic Engineering Division, the Highway Construction and Engineering Division, and the Office of Transportation recommendations for this Delegation Request may be modified for minor technical conflicts which are identified by details included in submitted construction plans.

14. 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, constructions, studies, etc., shall conform to the applicable sections of the following:
 - United States Department of Transportation: "Manual on Uniform Traffic Control Devices", (MUTCD).
 - State of Florida Department of Transportation:
 - "Design Standards".
 - "Standards Specifications".
 - "Transit Facilities Guidelines"
 - Broward County: "Minimum Construction Standards for Roadways Under Broward County Jurisdiction"
 - In addition, all designs for construction shall be certified by a Professional Engineer or Land Surveyor registered in the State of Florida, that they meet the standards included above.
15. The developer shall be responsible for the cost of relocating utilities, drainage facilities, traffic control poles, interconnect cables, and related equipment as necessary to complete required improvements.
16. 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.

dgm

Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department
Planning and Redevelopment Division



**Application to Change or Waive Requirements
of the Broward County Land Development Code**

INSTRUCTIONS

This form is used to apply for changes or waivers to requirements of development permit applications processed under the Broward County Land Development Code. These include changes or waivers to the following:

ROADWAY RELATED

1. Non-Vehicular Access Lines
2. Roadway Improvements (such as turn lanes, busbays traffic signals, etc.)
3. Right-of-Way Dedications
4. Sidewalks and Paved Access
5. Design Criteria

NON-ROADWAY RELATED

6. Design Criteria
7. Waste Water Disposal/Source of Potable Water
8. Fire Protection
9. Parks and/or School Dedications
10. Impact/Concurrency Fee(s)
11. Environmental Impact Report
12. Other Changes

For your application to be officially accepted for processing and scheduled for a County Commission meeting, you must complete this application in full. The owner/agent certification (on the reverse side of this form) must be signed and notarized with the appropriate documentation attached. Please type this application or print legibly in **black ink**.

PROJECT INFORMATION

Plat/Site Plan Name Plat: Windmill Ranch Estates / Site Plan: FL-9284 WESTON MAC
 Plat/Site Plan Number N/A 044-PL 79 Plat Book - Page PB 107 - PG 18 (If recorded)
 Owner/Applicant TCA - Weston, LLC Phone (773) 644-2233
 Address 3611 North Kedzie Ave. 2nd Floor City Chicago State IL Zip Code 60618
 Owner's E-mail Address steven.schwartz@midtown.com Fax # (773) 463-0999
 Agent Kimley-Horn Phone 954-535-5106
 Contact Person John J. McWilliams, P.E.
 Address 600 North Pine Island Road, Suite 450 City Plantation State FL Zip Code 33324
 Agent's E-mail Address John.McWilliams@kimley-horn.com Fax # _____

PROPOSED CHANGES

Use this space below to provide the following information and clearly describe the proposed changes you are requesting. If you are requesting changes to a specific staff recommendation(s) listed in a Development Review Report, please specify the staff recommendation number(s). If you are requesting a waiver or variation of a provision of the Land Development Code, please cite the specific section(s).

Staff Recommendation No(s) N/A

Land Development Code citation(s) N/A

Have you contacted anyone in County Government regarding this request? Yes No

If yes, indicate name(s), department and date _____

David "DG" McGuire, BCHCED - Plat Division, 10/13/2017

Narrative explaining proposed changes in detail including the desired result and justification for the request (attach additional sheet if necessary):

Revise the current NVAL along Bonaventure Boulevard southwest of Royal Palm Boulevard to allow for right-turn in/right-turn out service driveway for a proposed cellular tower. The 12' wide proposed driveway is would be located approximately 102 feet (edge to edge) southwest of the existing fire station driveway.

**Please see the reverse side of this form for Required Documentation
and Owner/Agent Certification**

REQUIRED DOCUMENTATION: Submit one (1) original of each document and electronic copy of each item listed below. Each document listed below must also be submitted electronically as a separate pdf on a CD, flash drive, etc.

All requests listed on this application must include the following documents:

- Letter from the applicable municipality, dated within six (6) months of this application, stating the city's position on this request.
- Approved or recorded plat (a survey and site plan may be accepted for single family and duplex applications. Please consult with Planning & Redevelopment Division staff).
- A check for the application fees (if applicable) made payable to: Broward County Board of County Commissioners. Please consult the Development Permit Application Fee Schedule.

For **ROADWAY RELATED** items (1 through 5) listed under **INSTRUCTIONS** on Page 1 of this form, the following additional documents are also required:

- The proposed site plan (2 original) which shows, at a minimum, the on-site traffic circulation system, adjacent roadway details, and the location of all existing and proposed driveway(s). The site plan must provide relevant dimensions and must be drawn to scale.
- Signed and sealed drawings (2 original) clearly illustrating the proposed change(s). The drawings must provide relevant dimensions and must be drawn to scale.
- A valid Pre-Application approval letter from the Florida Department of Transportation is required for all roadway and/or access related applications which abut a Trafficway that is functionally classified as a State Road. This requirement includes the creation or amendment of vehicular access and/or any improvements requiring permits from the State.

For **NON-ROADWAY RELATED** items (6 through 12) listed under **INSTRUCTIONS** on Page 1 of this form, please consult with Planning & Redevelopment Division (PRD) staff for a determination of any additional required documentation.

OWNER/AGENT CERTIFICATION

State of Florida

County of Broward

This is to certify that I am the owner/agent of the property described in this application and that all information supplied herein are true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to the described property at reasonable times by County personnel for the purpose of verification of information provided by owner/agent.

Signature of owner/agent _____

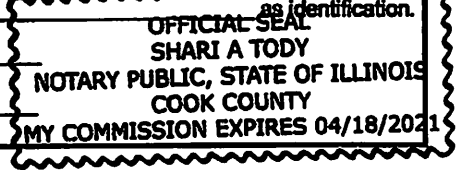
Sworn and subscribed to before me this 12th day of October, 2017

by Steven L. Schwartz

He/she is personally known to me or as identification.

Has presented _____

Signature of Notary Public Shari A. Tody



Type or Print Name Shari A. Tody

FOR PLANNING & REDEVELOPMENT DIVISION USE ONLY

Time _____ Application Date 10/13/17 Acceptance Date 10/18/17

Comments Due 11/01/17 C.C. Mtg. Date _____ Fee \$ 2,410

Report Due _____ Adjacent City _____

Plats Site Plans/Drawings City Letter FDOT Letter

Other (Describe) _____

Title of Request non-vehicular access line / right-turn in/right-turn out. Relocation of 12' wide proposed driveway.

Distribute to: Engineering Traffic Engineering Mass Transit

Other _____ Other _____

Comments _____

Received by [Signature]



October 19, 2017

Ms. Thuy Turner, AICP, LEED AP BD+C
Planning Section Supervisor
Environmental Protection and Growth Management Department
Planning and Development Management Division
1 North University Drive, Plantation Florida 33324

**Re: Windmill Ranch Estates Plat (044-PL-79)
Delegation Request for NVAL Revision**

Dear Ms. Turner:

The subject application requests a revision to the Non-Vehicular Access Line (NVAL) along Bonaventure Boulevard southwest of Royal Palm Boulevard in Weston, Florida. The revision will allow for a driveway to serve a proposed cellular communications tower located adjacent to Weston Fire Rescue Station #81. The proposed driveway will be restricted to right-turns only and is located approximately 418 feet (+/-) southwest of Royal Palm Boulevard measured from the west end of the corner chord at the Bonaventure Boulevard/Royal Palm Boulevard intersection. Thank you for consideration of our request. Please contact me should you have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "John J. McWilliams".

John J. McWilliams, P.E.

K:\FTL_TPTO\043899000 - Weston MAC Cell Tower\County Apps\10 19 17 turner ltr.docx



FL CA 26115
Foresite Group, Inc.
10150 Highland Manor Dr. Suite 210
Tampa, FL 33610
o | 813.549.3250
f | 813.621.3580
w | www.fg-inc.net

SEAL:

11/21/17

PROJECT:

**FL-9284
WESTON
MAC**

LOCATED AT:
TBD BONAVENTURE BLVD.
WESTON, FL 33326

DEVELOPER:

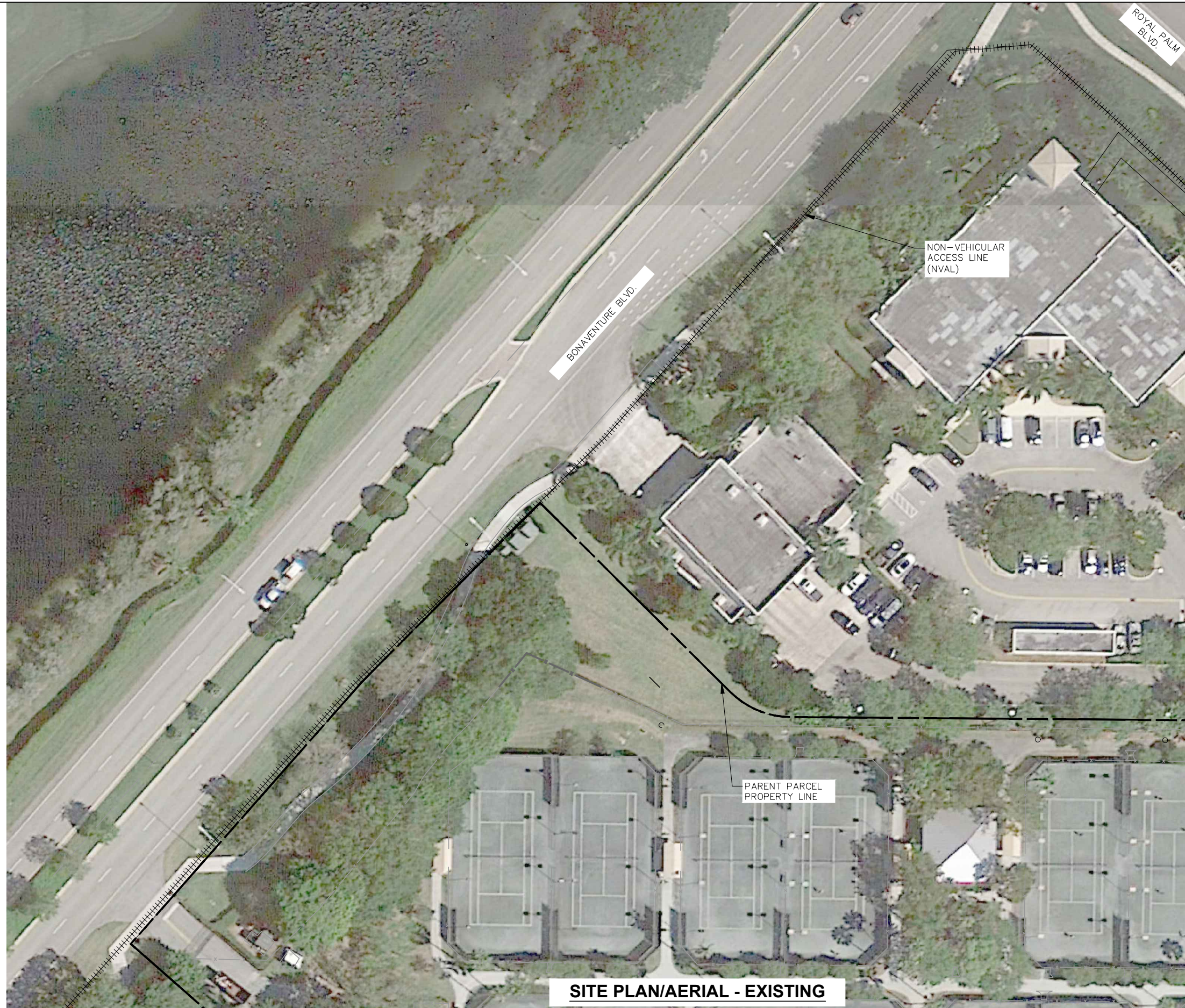
TOWER ASSETS NEWCO IX LLC
4091 VISCOUNT AVE
MEMPHIS, TN 38118
CONTACT: MARY LENOCI
o | 901.794.9494 c | 901.553.0303

REVISIONS	DATE
1 ADD DIMS & EXISTING PLAN	11/21/17

ISSUED FOR:	NVAL SUBMITTAL
PROJECT MANAGER:	ADR
DRAWING BY:	ADR
DATE:	10/12/2017
TITLE:	

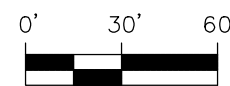
NVAL EXHIBIT
EXISTING

SHEET NUMBER:	2 OF 2
JOB/FILE NUMBER:	360.018



SITE PLAN/AERIAL - EXISTING

GRAPHIC SCALE



(SCALE IN FEET)
11x17 SCALE: 1"=60'
24x36 SCALE: 1"=30'

Drawing name: L:\360-Tower Ventures\360.018 Weston MAC\DWG\Weston LE_ZD.dwg NVAL EXHIBIT 2 OF 2 Nov 21, 2017 10:33am by: arozen

FORESITE
group

FL CA 26115
Foresite Group, Inc.
10150 Highland Manor Dr. Suite 210
Tampa, FL 33610

o | 813.549.3250
f | 813.621.3580
w | www.fg-inc.net

SEAL:

11/21/17

PROJECT:
**FL-9284
WESTON
MAC**
LOCATED AT:
TBD BONAVENTURE BLVD.
WESTON, FL 33326

DEVELOPER:
TOWER ASSETS NEWCO IX LLC
4091 VISCOUNT AVE
MEMPHIS, TN 38118
CONTACT: MARY LENOCI
o | 901.794.9494 c | 901.553.0303

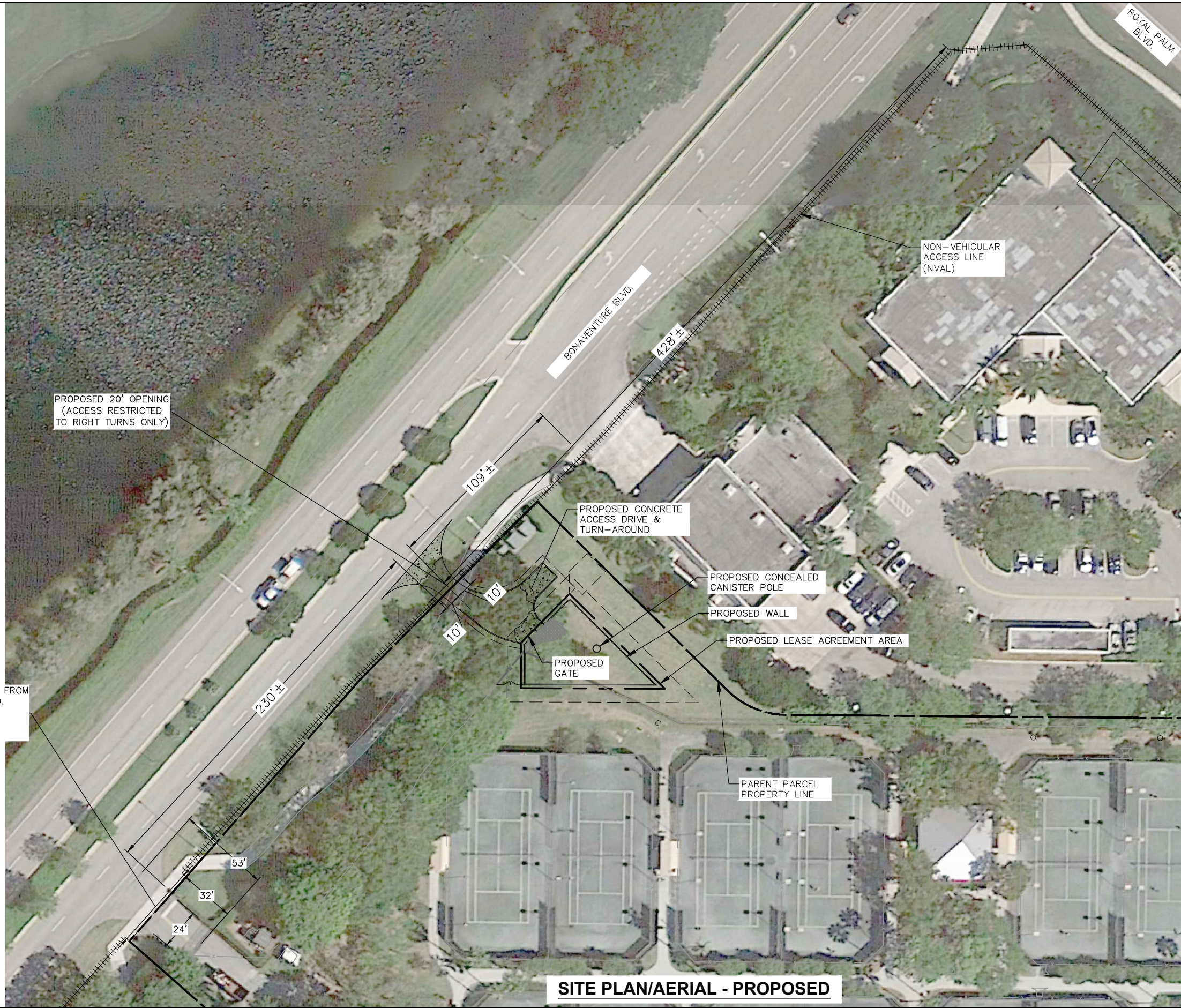
REVISIONS	DATE
1 ADD DIMS & EXISTING PLAN	11/21/17

ISSUED FOR:	NVAL SUBMITTAL
PROJECT MANAGER:	ADR
DRAWING BY:	ADR
DATE:	10/12/2017
TITLE:	

NVAL EXHIBIT
PROPOSED

SHEET NUMBER: 1 OF 2

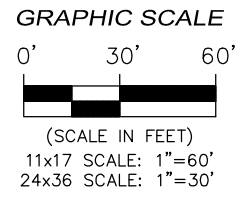
JOB/FILE NUMBER: 360.018



SITE PLAN/AERIAL - PROPOSED

PROPOSED 50' OPENING CENTERED 680'± FROM THE CORNER OF BONAVENTURE BLVD. AND ROYAL PALM BLVD. (ACCESS RESTRICTED TO RIGHT TURNS ONLY)

PROPOSED 20' OPENING (ACCESS RESTRICTED TO RIGHT TURNS ONLY)



Drawing name: L:\360-Tower Ventures\360.018 Weston MAC\DWG\Weston LE ZD.dwg NVAL EXHIBIT 1 OF 2 Nov 21, 2017 10:33am by: arozen