



AVIATION DEPARTMENT - Fort Lauderdale-Hollywood International Airport
2200 SW 45th Street, Suite 101 • Dania Beach, Florida 33312 • 954-359-6100

September 1, 2020

Eleanor Norena, Community Development Director
City of Dania Beach
100 West Dania Beach Blvd
Dania Beach, FL 33004

RE: 90 Wave
50 S Bryan Rd, 70 S Bryan Rd, and 90 N Bryan Rd, Dania Beach, FL
Broward County Aviation Department (BCAD) Conditional Approval Letter

Dear Ms. Norena:

The Broward County Aviation Department (BCAD) has reviewed the proposed 90 Wave site plan located south of Fort Lauderdale-Hollywood International Airport (FLL) at 50 S Bryan Road, 70 S Bryan Road, and 90 N Bryan Road. Since the proposed project is within 20,000 feet of FLL, its development and operation is subject to Federal Aviation Regulation (FAR) Part 77, Florida Statutes Chapter 333 and/or the Broward County Airport Zoning Ordinance. These standards seek to ensure that any proposed construction, use of high lift equipment, such as cranes, or other potential hazards will not negatively impact the safe and efficient use of the airport and surrounding airspace. Taking into consideration the proximity of this project to FLL, BCAD is providing the following comments regarding the proposed development:

- Based on the location of the proposed project, FAR Part 77- Subpart B and Section 5-182(n)(2) of the Broward County Land Development Code, require the applicant to obtain a "Determination of No Hazard to Air Navigation" from the Federal Aviation Administration (FAA). ***The receipt of a favorable determination from the FAA is required for all critical building points and temporary construction cranes and must be received prior to any construction activity.*** The Federal Review (FAA 7460-1) process can be initiated at the following web address: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>
- BCAD has determined that the proposed development penetrates FAA controlled air space (Part 77, Horizontal Plane) and shall comply with FAA obstruction standards.
- No building, structure or vegetation on the site may exceed the ***maximum height of 225 feet (AMSL)*** as shown on Elevation Sheets A-4.00, A-4.01, A-4.02, and A-4.03 (dated 8/15/2020) and the 90 Wave Coordinates Exh-1 (dated 8/15/2020) unless submitted to BCAD for additional review.
- The proposed development must not generate light, glare, smoke or other emissions that could be disorienting to pilots operating in the vicinity of the airfield.

Adherence to these conditions is required for BCAD approval of the 90 Wave site plan located at 50 S Bryan Road, 70 S Bryan Road, and 90 N Bryan Road and it is based on the following documents submitted by the applicant:

- Elevations Sheets A-4.00, A-4.01, A-4.02, and A-4.03 prepared by Nichols, Brosch, Wurst, Wolfe & Associates, Inc. (dated 8/15/2020)
- Site Plan sheet C-100 prepared by Kimley-Horn and Associates, Inc (dated 7/2/2020)
- 90 Wave Coordinates Exh-1 prepared by Nichols, Brosch, Wurst, Wolfe & Associates, Inc. (dated 8/15/2020)
- ALTA Survey 90 N. Bryan Road prepared by Gary B. Castel (dated 12/31/2019)

If the proposed plans are revised substantially from those submitted for this review, BCAD requests that the revised development plans be submitted for an additional review.

This letter serves as notice of potential aircraft overflight and noise impacts on this property due to its proximity to the Fort Lauderdale/Hollywood International Airport. This property is subject to the overflight and associated noise of arriving and departing aircraft during the course of normal airport operations. Individuals sensitive to such events should satisfy themselves before purchasing this property that such exposure to aircraft overflights and the noise associated therewith will not adversely affect their enjoyment of the property.

This letter serves as notice to prospective purchasers of parcels within the property that, pursuant to Broward County Ordinance 2006-37 and consistent with the Federal Aviation Administration's "Change in FAA's Noise Mitigation Policy," effective October 1, 1998, the County will only provide noise mitigation for existing "incompatible development" and not for new incompatible development. The determination of "compatible" and "incompatible development" will be based on the County's most current Federal Aviation Administration ("FAA") approved Noise Exposure Map and the Airport's most current noise compatibility program which has been reviewed and approved by the FAA for the Airport. The applicant should note that the project is not eligible for federal funding to mitigate aircraft noise.

Please do not hesitate to contact me if you have questions or require additional information at 954.595.0809

Sincerely,

Karen Friedman
BCAD Aviation Senior Planner

cc: Michael P. Pacitto, P.G., Director Planning and Environmental
William Castillo, BCAD Aviation Planning Manager
Jacob.Lawson@kimley-horn.com, NChakas@lochrielaw.com, flylally@aol.com,
pbusteed@nbww.com