

Board of County Commissioners, Broward County, Florida  
Environmental Protection and Growth Management Department  
Planning and Development Management Division  
DEVELOPMENT REVIEW REPORT

PROJECT DESCRIPTION

Name:	NEW RIVER SOUND	Number:	003-MP-19
Applicant:	Summit Hospitality 134, LLC	Comm. Dist.:	4
Agent:	Pulice Land Surveyors, Inc.	Sec/Twp/Rng:	12-50-42
Location:	West Side of Seabreeze Boulevard, Between East Las Olas Boulevard and Southeast 5 Street	Platted Area:	0.87 Acres
City:	Fort Lauderdale	Gross Area:	N/A
Replat:	N/A		

LAND USE

Existing Use:	Parking Lot	Effective Plan:	Fort Lauderdale
Proposed Use:	150 Hotel Rooms	Plan Designation:	Central Beach Regional Activity Center. See attached comments from the Planning Council
Adjacent Uses:		Adjacent Plan Designations:	
North:	Commercial	North:	Central Beach Regional Activity Center
South:	Commercial	South:	Central Beach Regional Activity Center
East:	Hotel, Commercial	East:	Central Beach Regional Activity Center
West:	Intercoastal Waterway	West:	Water
Existing Zoning:	ABA	Proposed Zoning:	ABA

RECOMMENDATION (See Attached Conditions)

**APPROVAL:** Subject to staff recommendations and conditions which shall assure compliance with the standards and requirements of Chapter 5, Article IX, of the Broward County Code of Ordinances.

Meeting Date:	03/31/20	Prepared:	HWC
Action Deadline:	05/05/20	Reviewed:	
Deferral Dates:		Approved:	

SERVICES

Wastewater Plant:	G.T. Lohmeyer (09/18)	Potable Water Plant:	Charles Fiveash (05/18)
Design Capacity:	48.0000 MGD	Design Capacity:	90.000 MGD
12-Mo. Avg. Flow:	35.4500 MGD	Peak Flow:	51.290 MGD
Est. Project Flow:	0.0030 MGD	Est. Project Flow:	0.003 MGD

Comments: Sufficient capacity exists at this time.    Comments: Sufficient capacity exists at this time.

PARKS

SCHOOLS

Dwelling Units	Impact Fee
N/A	N/A

	Land Dedication	Impact Fee	Admin. Fee
Local:	County conducts no local review within municipalities	N/A	N/A
Regional:	N/A	N/A	N/A

TRANSPORTATION

Concurrency Zone: Northeast	Trips/Peak Hr	Transit Concurrency Fee	Road/Admin. Fee
Res. Uses:	N/A	N/A	N/A
Non-Res. Uses:	105	*	N/A
Total:	105	*	N/A

\* See Staff Comment No. 3  
See Finding No. 1  
See General Recommendation No. 1

NEW RIVER SOUNDS      20-324  
003-MP-19

STAFF COMMENTS

- 1) Staff findings and recommendations pertaining to this plat are based on the use being 150 hotel rooms. This property is being platted because the plat boundaries are not specifically delineated on a recorded plat.
- 2) Trafficways approval is valid for 10 months. Approval was received on May 23, 2019. A 2-month extension has been granted an approval will expire on May 23, 2020.
- 3) This plat is located within a Transportation Concurrency Management Area. In accordance with Land Development Code, transportation concurrency fees will be assessed in accordance with the fee schedule specified in the ordinance during the review of construction plans submitted for County environmental review approval and must be paid on the date of building permit issuance. These fees shall be based on the gross square footage of any building(s) as defined in the ordinance, including canopies and overhangs for drive-thru facilities and for outdoor restaurant seating. In addition, in cases where a building floor may have both commercial and office uses, the entire floor will be assessed as commercial use.
- 4) This plat is not located in a Wellfield Zone of influence as described in the Broward County Wellfield Protection Ordinance 84-60, as amended, and as incorporated into Broward County Code of Ordinances, Chapter 27, Article XIII.
- 5) This plat is located in the City of Fort Lauderdale and is under the jurisdiction of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division. Surface water management plans for this plat must meet the criteria contained in Chapter 27 - Article V of the Broward County Code of Ordinances. The surface water management licensing requirements of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division must be met prior to any construction. Any discharges to ground or surface waters, excluding stormwater, will require review and approval by the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division prior to discharge.
- 6) The Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division has advised that a Wastewater Collection/Transmission System License will be required prior to constructing, expanding or altering either a gravity sanitary sewer, a sanitary force main or a pump station, per Chapter 27, Article V of the Broward County Code of Ordinances regarding Water Resource Management. Wastewater receiving lift stations and force mains are critical components of the conveyance system. As part of the licensing process, adequate capacity will need to be demonstrated for the receiving off-site sanitary sewer conveyance system. The size and scope of flows for the proposed domestic wastewater generation from this plat will likely be substantial and variable; this may impose additional needs for advance planning, permitting, and construction for both onsite and offsite components of the conveyance system. For

Continued

additional information, contact the Water and Environmental Licensing Section at 954-519-1483.

- 7) Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division indicates that, at this time, there are no wetlands within the boundaries of the plat. Therefore, a Conceptual Dredge and Fill Review Report is not required. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License. Other activities, e.g., lake or canal excavation, regulated under Article XI of the Natural Resource Protection Code may require a license. The applicant is encouraged to contact the Water and Environmental Licensing Section at 954-519-1483 to determine if, and what type of, license may be required prior to undertaking surface disturbing activities. Any work east of Coastal Construction line requires state permit.
- 8) Applicant has been informed that the proposed development contains or abuts water bodies or will be creating same. Excavation or filling of any surface waters, or the construction or repair of in-water structures such as seawalls and docks, are regulated under Article XI of the Natural Resource Protection Code and may require an Environmental Resource License.
- 9) The Water and Environmental Licensing Section encourages that all invasive exotic vegetation including Melaleuca, Brazilian-pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species be removed during the development process, and advises that a management plan may be necessary to control re-invasion of same. In addition, landscape materials should not include any plants considered to be invasive of South Florida's native plant communities. The Exotic Pest Plant Council's List of Florida's Most Invasive Species is available from the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division.
- 10) This site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. Please contact Paul Krashefski of the Environmental Planning and Community Resilience Division concerning the inventory, which provides information regarding the ownership and management of each of the Protected Natural Lands. He can be reached at (954) 519-1297 or [pkrashefski@broward.org](mailto:pkrashefski@broward.org)
- 11) An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483 for specific license requirements.
- 12) A demolition notice of the existing use may be required from the Broward County Air Licensing and Compliance Section of the Environmental Engineering and Permitting Division.

- 13) The subject plat is in the vicinity of a known contaminated site and the following should be noted: For any site that overlies or contains potential or actual sources of pollution to ground or groundwater, the Environmental Engineering and Permitting Division's approval of an application for a building permit or approval to construct or alter shall not be granted until the Environmental Assessment and Remediation Section of the Environmental Engineering and Permitting Division is satisfied that the construction or alteration will not interfere with the cleanup of the contaminants on site [Section 27-66(h) Broward County Code of Ordinances]. It should also be noted that the Environmental Assessment and Remediation must approve any dewatering activities at this site.
- 14) Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system. Nor does it infer that sufficient capacity will exist at time of building permit approval. Approval to connect to such systems is approved by the Environmental Engineering and Permitting Division as a prerequisite to, and just prior to, approval of building permits by the appropriate building department for any structures that are to be built on the platted site. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.
- 15) This property is within 20,000 feet of the Fort Lauderdale-Hollywood International Airport. Any proposed construction on this property or use of cranes or other high-lift equipment must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the Broward County Airport Zoning Ordinance apply. Based on the location of the proposed project, the FAA may need to review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov/oeaaa/external/portal.jsp>. For additional information, contact the Broward County Aviation Department at 954-359-6170.
- 16) Review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File by the County's consulting archaeologist indicates that the proposed project will have an adverse effect on previously recorded resources(s).
  - A) The subject property is located adjacent (50 feet approximately) from one previously recorded archaeological site (8BD4651) and there is a possibility that portions of the site may be located within the subject property.
  - B) The subject property is located within a designated archaeological zone (Fort Lauderdale Beach/Barrier Island) and in the vicinity to several previously identified and recorded archaeological sites (8BD4561 Fort Lauderdale Beach Midden; 8BD1 Fort Lauderdale Beach; 8BD101 House of Refuge; 8BD4405 Mooney's Cove).

The archaeologist notes that this property is located in the City of Fort Lauderdale and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The property owner/agent is advised to contact the City of Fort Lauderdale's Urban Design and Planning Division at 954-828-7101 or to seek project review for compliance with the municipal historic preservation regulations. In

the event any unmarked human burial remains are discovered, pursuant to Florida Statute Chapter 872.05, all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist. The Broward County medical examiner can be notified at either 954-357-5200, or Email:

[med\\_exam\\_trauma@broward.org](mailto:med_exam_trauma@broward.org), <http://www.broward.org/MedicalExaminer>

- 17) This plat is served by BC Transit Routes 40 on Seabreeze Boulevard (SR AIA).
- 18) Openings or improvements on functionally classified State Roads are subject to the "Rules of the Department of Transportation Chapter 14-97 State Highway System Access Management Classification System and Standards." In accordance with Section 5-189(b)(5) of the Land Development Code, the applicant has submitted the attached pre-application approval letter from the Florida Department of Transportation.
- 19) The attached memorandum from the Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division indicates that they have reviewed the plat application and have determined that the comments and recommendations are required with respect to the safe and adequate access standards of the Broward County Land Development Code. The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.
- 20) The attached comments regarding this plat's compliance with the effective Land Use Plan have been received from the Broward County Planning Council. This plat is subject to the recorded "Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Regional Activity Center" (O.R.B. 34094, PG.1407-1412, B.C.R.). It requires the City to monitor development activity and to enforce permitted land use densities and intensities within the Regional Activity Center.
- 21) 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.
- 22) Specific questions regarding any of the above comments may be directed to each review agency contact person. A complete list of agency contact information can be accessed on the Planning and Development Management Division's web page at: [www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf](http://www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf)

## FINDINGS

### CONCURRENCY REVIEW

- 1) This plat is located within the Eastern Core Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182(a)(5)a) of the Land Development Code.
- 2) This plat satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Broward County Land Development Code.

## GENERAL RECOMMENDATIONS

- 1) Transportation concurrency fees will be assessed during the review of construction plans submitted for County environmental review approval by the Development and Environmental Review Section of the Planning and Development Management Division, in accordance with the fee schedule specified in the Land Development Code and must be paid on the date of building permit issuance.
- 2) Place a note on the face of the plat, preceding the designated municipal official's signature, reading:

All applicable concurrency/impact fees for the construction, expansion, and/or conversion of a building within this plat shall be paid on the date of building permit issuance.

- 3) Place a note on the face of the plat reading:
  - A) If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by **March 31, 2025**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame; and/or
  - B) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by **March 31, 2025**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame.

- C) This plat is restricted to 150 hotel rooms.

This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.

- D) Any structure within this plat must comply with Section 2.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

- 4) If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.