

Environmental Protection and Growth Management Department **PLANNING AND DEVELOPMENT MANAGEMENT DIVISION** 1 North University Drive, Suite 102-A • Plantation, Florida 33324 • 954-357-6666 • FAX 954-357-6521 • 954-519-1412

e-COMMENTS for New Plat Application



PLAT NO.:

TO:

Review Agencies

PLAT NAME:

COMMENT DUE DATE:

Please find an application for the above plat which was submitted to you for verification of the *Standards* of the Broward County Land Development Code, as amended.

To comply with the review requirements mandated by the Code, <u>your written comments must be submitted</u> <u>electronically to this office by the date indicated above</u>. If your comments are not received by the above date, we will understand that to mean you have no objection to the plat as submitted.

Please note that all agency comments should now be e-mailed to the Planning and Development Management Division at: pdmdinfo@broward.org. For additional information, please contact Howard W. Clarke at 954-357-5760 (or hoclarke@broward.org). Your cooperation is greatly appreciated!

X NO OBJECTION TO THE PLAT AS SUBMITTED.

— THIS PLAT IS SUBJECT TO THE COMMENTS NOTED BELOW.

X THIS PLAT IS SUBJECT TO THE ATTACHED COMMENTS.

In the space provided below, please type/print your name, agency and phone number:

Karen Friedman

Print Name Broward County Aviation

Agency

954-359-6258

Phone Number

COMMENTS:

Broward County Board of County Commissioners Mark Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Dale V.C. Holness • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine www.broward.org

REVIEW OF APPLICATION CONDITIONS Plat Number: 005-MP-21 Section/Township/Range: Plat Name: Atlantica at Dania Beach Plat Name: Atlantica at Dania Beach Comments Due Date: 3/302021 Return Comments To: PDMD Staff Applicant's Request: New Plat Application Division: Broward County Aviation Department – Planning Division

Plat Comments:

This property is within 20,000 feet of Broward County's Fort Lauderdale/Hollywood

International Airport. Any proposed construction or use of cranes or other high-lift equipment must be reviewed to determine if the following apply: Federal Aviation Regulation Part 77; Florida Statutes Chapter 333; and/or the Broward County Airport Zoning Ordinance. Based on the location of the proposed project, Broward County and FAA will need to review to determine whether the project is a potential hazard to aviation.

To initiate the Broward County Review, please contact Kfriedman@broward.org. To initiate the Federal Aviation Review, access the FAA Web Page at: https://oeaaa.faa.gov

BCAD submitted a Condition Approval letter to City of Dania Beach on 2/23/2021 (<u>copy</u> <u>attached</u>).

POTENTIAL AIRCRAFT OVERFLIGHT NOTICE

This serves as notice of potential aircraft overflight and noise impacts on this property due to its proximity to the Fort Lauderdale/Hollywood International Airport, which is being disclosed to all prospective purchasers considering the use of this property for residential/place of worship purposes. 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 also 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.

Further information regarding the current and potential impacts of airport operations on the subject property may be obtained from the Broward County Aviation Department, Airport Development Planning Division at 954-359-6181



AVIATION DEPARTMENT - Fort Lauderdale-Hollywood International Airport 320 Terminal Drive, Suite 200 • Fort Lauderdale, Florida 33315 • 954-359-6100

February 23, 2021

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

RE: Proposed Multifamily Development / Atlantica at Dania Beach NE 1st Street (504235000260), Dania Beach, FL Broward County Aviation Department (BCAD) Conditional Approval Letter

Dear Ms. Norena:

The Broward County Aviation Department (BCAD) has reviewed the proposed Multifamily Development / Atlantica at Dania Beach located south of Fort Lauderdale-Hollywood International Airport (FLL) at NE 1st Street (504235000260). 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 applicant has submitted a copy of FAA Determinations of No Hazard to Air Navigation: 2021-ASO-2830-OE, 2021-ASO-2833-OE, 2021-ASO-2834-OE, 2021-ASO-2855-OE, 2021-ASO-2856-OE, and 2021-ASO-2867-OE.

• No building, structure or vegetation on the site may exceed the *maximum height of 49 feet (AMSL)* unless submitted to BCAD for additional review. This height reflects the building height of 49 feet AMSL noted in the FAA Determinations of No Hazard to Air Navigation (noted above).

• The proposed development, including steel structure materials, must not generate light, glare, smoke or other emissions that could be disorienting to pilots operating in the vicinity of the airfield.

Broward County Board of County Commissioners

Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Dale V.C. Holness • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine www.broward.org/www.fll.net

Adherence to these conditions is required for BCAD approval of the proposed Multifamily Development / Atlantica at Dania Beach located at NE 1st Street (504235000260) and it is based on the following documents submitted by the applicant:

- Project height, latitude, and longitude as listed in the FAA Determinations of No Hazard to Air Navigation: 2021-ASO-2830-OE, 2021-ASO-2833-OE, 2021-ASO-2834-OE, 2021-ASO-2835-OE, 2021-ASO-2855-OE, 2021-ASO-2856-OE, and 2021-ASO-2867-OE
- Record Land Survey prepared by McLaughlin Engineering Company, Inc. (dated March 4, 2021)

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.

<u>This letter serves as notice</u> 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 954.359.6258

Sincerely,

Karen Friedman BCAD Aviation Senior Planner

cc: Michael P. Pacitto, P.G., Director Planning and Environmental William Castillo, BCAD Aviation Planning Manager kray808@bellsouth.net Lkerr808@bellsouth.net



Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 10101 Hillwood Parkway Fort Worth, TX 76177

Issued Date: 02/17/2021

Lon Tabatchnick Lojeta Group of Fl, Inc. 3501 N. Ocean Drive Hollywood, FL 33019

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Atlantica Bldg1 NWC (E)
Location:	Dania Beach, FL
Latitude:	26-03-20.76N NAD 83
Longitude:	80-08-00.28W
Heights:	4 feet site elevation (SE)
	45 feet above ground level (AGL)
	49 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part 1) X Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 08/17/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within

6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (404) 305-6462, or mike.blaich@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-ASO-2830-OE.

Signature Control No: 467257260-469580533 Michael Blaich Specialist

(DNE)

Attachment(s) Map(s)



Exhibit 8 Page 8 of 9



Exhibit 8 Page 9 of 9

