



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: June 13, 2023

**PROPERTY OWNER /
APPLICANT:** New River Point, LLC.

AGENT: Stephanie Toothaker, Esq.

PROJECT NAME: Riversound Plat

CASE NUMBER: UDP-P23003

REQUEST: Plat Review

LOCATION: 1131 and 1151 SW 9th Avenue

ZONING: Residential Single Family/Low Medium Density District
(RS-8)

LAND USE: Low-Medium Residential

CASE PLANNER: Yvonne Redding

Case Number: UDP-P23003

CASE COMMENTS:

Please provide a written response to each of the following comments:

1. Provide a Survey based on a Standard Title Commitment issued by a title insurer licensed to do business in Florida or an Opinion of Title issued by an attorney admitted to the Florida Bar. The title commitment or Opinion of Title must have an effective date no more than thirty days prior to the date of submittal of the survey and must be certified to the City of Fort Lauderdale.
2. Provide a copy of recorded documents related to any encumbrances/ restrictions as indicated on Standard Title Commitment or Opinion of Title, including but not limited to ORB 549 PG 361 and ORB 549 PG 363.
3. Per Sec. 47-24.5.D.h: Every subdivided lot or property shall be served from a publicly dedicated street. This requirement may be waived by the board in special situations where the board finds public safety, convenience and welfare can be adequately served.
4. Per Sec. 47-24.5.D.j: Dead-end streets shall be prohibited, except when designed as cul-de-sacs.
 - a. Per Sec. 47-24.5.D.k.ii: Cul-de-sacs shall be provided at the closed end with a circular dedicated area not less than seventy (70) feet in diameter for turnaround purposes.
5. Provide a signed and sealed conceptual engineering plan depicting proposed improvements in the city right of way per ULD section 47-24.5. The following items shall be provided:
 - a. Prior to this plat being scheduled for City Commission review/approval, the developer shall provide a bond to the City for 100% of the construction cost for the 5' wide sidewalk along SW 11th Ct per ULDR Section 47-24.5.E.3.e (Required subdivision improvements/Sidewalks).
 - b. Prior to this plat being scheduled for City Commission review/approval, the developer shall provide a bond to the City for 100% of the construction cost for the required improvements/modifications of the essential City utilities along SW 11th Ct per ULDR Section 47-24.5.E.3.g (Required subdivision improvements).
 - c. Prior to this plat being scheduled for City Commission review/approval, the developer shall provide a bond to the City for 100% of the construction cost for the required pavement restoration (milling and resurfacing) along SW 11th Ct per ULDR Section 47-24.5. E.3.g (Required subdivision improvements).
6. There are existing essential City utilities located within the plat. Provide plans showing the location of the City utilities infrastructure and discuss future use, removal, abandonment and/or relocation of the following infrastructure elements:
 - a. 10-inch diameter gravity sewer and sewer manholes located along SW 9th Avenue,
 - b. 6-inch, 4-inch and 2-inch diameter water mains located along SW 9th Avenue and 1151 SW 9th Avenue.
 - c. Check for additional required dedications to the City during the Site Plan approval process, including Utility Easement(s) that allow the City perpetual maintenance access to existing public sewer, storm drain, and water infrastructure located within the proposed development.



7. Please provide additional information regarding the open area between lot 30 and 45 to verify the intended use.
8. Provide Development Review Report & Notification of Readiness document issued by the Broward County Urban Planning Division.

ADVISORY: Please be advised the plat must be recorded prior to submittal for building permit, and any applicable site plan review process.

ADVISORY: Plat review and approval from the City Surveyor is required prior to requesting a sign off from the engineering staff for the Planning & Zoning Board meeting. Please coordinate the City Surveyor review with engineering staff assigned to this case.

Additional comments may be forthcoming at the meeting.



Case Number: UDP-P23003

CASE COMMENTS:

1. Per section 47-24.5.D.h of the City ULDR, there shall be no private streets platted in any subdivision. Every subdivided lot or property shall be served from a publicly dedicated street.
2. The proposed public street will need to be dedicated to public right of way and have a minimum width of 50 feet.
3. Per section 47-24.5.D.j of the City ULDR, Dead-end streets shall be prohibited, except where appropriate as stubs to permit future street extension into adjoining unsubdivided tracts, or when designed as cul-de-sacs.
4. Per section 47-24.5.D.k of the City ULDR, Cul-de-sacs shall be provided at the closed end with a circular dedicated area not less than seventy (70) feet in diameter for turnaround purposes.
5. Additional comments may be provided upon further review.

Case Number: UDP-P23003

CASE COMMENTS:

Please provide a response to the following:

1. Pursuant to Unified Land Development Regulation (ULDR), Section 47-24, the proposed plat requires review and recommendation by the Planning and Zoning Board and approval by the City Commission. A separate application and fee are required for PZ Board review, and a separate submittal is required for City Commission review. The applicant is responsible for all public notice requirements. Note: The City Clerk's office requires 48 hours notice prior to a City Commission meeting if a computer presentation is planned i.e. Power Point, to be provided on CD or flash drive and a copy submitted to the City Clerk, contact the project planner for more information at ngarcia@fortlauderdale.gov or 954-828-8958.
2. Pursuant to the State Statute 166.033(1) applications must be deemed approved, approved with conditions, or denied within 180 days for applications subject to a quasi-judicial hearing or a public hearing, unless a mutually agreed upon time extension is established between the City and the applicant. Failure to meet the applicable timeframe or request an extension will result in the application being denied by the City and the applicant will be required to refile a new application and fees to proceed. The applicant did not submit a waiver to the timeline requirements.
3. The applicant is strongly encouraged to contact neighbors adjacent to, as well as condominium and neighborhood associations located within three hundred feet (300') of the development site, to advise of this proposal (a listing of officially recognized associations are provided on the City's website: <https://www.fortlauderdale.gov/departments/city-manager-s-office/office-of-neighbor-support/neighborhood-associations> and a map of neighborhood associations may be found at: <http://gis.fortlauderdale.gov>). Please provide acknowledgement and/or documentation of any public outreach.
4. This property is located within an Archaeologically Significant Zone identified through a phased archaeological survey of Broward County conducted between 1991 through 1995 by Archaeological and Historical Conservancy, Inc., and is periodically updated by Broward County. In accordance with City of Fort Lauderdale's Historic Preservation Element of the Comprehensive Plan Objective 1.2, Policy 1.2.3a, and as per the Certified Local Government Agreement between the City of Fort Lauderdale and the State of Florida, Department of State, Division of Historical Resources, that states that the City shall generally follow a public policy of protecting, preserving, and planning for the protection and preservation of resources of historical, architectural, and archaeological value are within its jurisdiction.
 - a) Following review of the land use and development history of the property, it has been determined that there is a low to moderate probability to encounter previously undocumented cultural resources and a Cultural Resource Assessment Survey will be required if a new development is proposed on the property. For any questions, please contact Trisha Logan, Principal Urban Planner, at tlogan@fortlauderdale.gov or 954.828.7101.
5. The site is designated Low-Medium Residential on the City's Future Land Use Map. The proposed use is permitted in this designation. This is not a determination on consistency with Comprehensive Plan Goals, Objectives, and Policies.
6. Please contact Karina Da Luz, Broward County Urban Planning Division at Kdaluz@broward.org or 954-357-6623 to ensure the proposed plat note language meets their standards before moving forward. Please provide staff with written response from the County.



7. Staff reserves the right review the plat again based on any changes made to the plat during full agency review.
8. Provide information regarding the proposed open space lot adjacent (west of) to Lot #30 on the plat.
9. Provide an additional plan sheet illustrating the existing and proposed utility and right-of-way easements. Provide shared or cross access agreements for the adjacent properties not included with the proposed plat.
10. No final plat of any subdivision shall be approved unless the subdivider shall file with the City a surety bond executed by a surety company authorized to do business in the state and having a resident agent in the county, conditioned to secure the construction of the improvements required under this section, in a satisfactory manner and within a time period specified by the City Commission, such period not to exceed two (2) years. No such bond shall be accepted unless it is enforceable by or payable to the City in a sum at least equal to one and one-half (1½) times the cost of constructing the improvements as estimated by the City Engineer and in form with surety and conditions approved by the City Attorney. In lieu of a bond, cash deposit or other acceptable security may be made. In case of forfeiture, the City shall proceed with the improvements to the extent of the available money realized from such forfeiture.
11. Pursuant to ULDR, Section 47-24.5 Subdivision Regulations Review:
 - a) Pursuant to **ULDR, Section 47-24.5.D.1.h**, there shall be no private streets platted in any subdivision. Every subdivided lot or property shall be served from a publicly dedicated street. This requirement may be waived by the board in special situations where the board finds public safety, convenience and welfare can be adequately served.
 - b) Pursuant to **ULDR, Section 47-24.5.D.1.n**, all existing Right-of-Way Easements, Ingress/Egress Easements, City & Private Utility Easements, etc. within the property shall be accurately shown and labeled on Plat. Please confirm if there are any additional easements that may need to be dedicated to the City during the Site Plan approval process, including utility easement(s) that allow the City perpetual maintenance access to existing public sewer, storm drain, and water infrastructure located within the proposed development.
 - c) Pursuant to **ULDR, Section 47-24.5.D.3.c.ii**, detached single-family and duplex dwellings within the RS-8 district shall provide lot sizes not less than seven thousand five hundred (7,500) square feet in lot area and a width of seventy-five (75) feet. The proposed residential lots (Lots 1-30) shall be revised to meet the aforementioned ULDR requirement.
12. Pursuant to ULDR, Section 47-25.2 Adequacy Requirements Review:
 - a) Pursuant to **ULDR, Section 47.25.2.F**, this plat is subject to a park impact fee, based on the number of residential units indicated in the plat note. Note, the impact fee must be paid prior to issuance of a building permit for the project.
 - b) Pursuant to **ULDR, Section 47.25.2.J**, for all development including residential units, shall provide a school capacity availability determination letter (SCAD) from Broward County Public Schools indicating that either the requirements of public school concurrency have been satisfied or that the application is exempt or vested pursuant to Section 47-38C.2 of the ULDR to the city prior to the issuance of a development permit. The applicant's narrative indicates ongoing coordination with Broward County Public Schools.



- c) Pursuant to **ULDR, Section 47-25.2.M.5**, the application may be subject to a dedication of right-of-way per the Broward County Trafficways Plan (SW 9th Avenue). The dedication shall be depicted on the plat/plans and noted as dedication. Setbacks and other applicable ULDR measurements must be measured from the new property line.

GENERAL COMMENTS

The following comments are for informational purposes.

1. A Site Plan application has not been submitted for the subject parcel. Upon completion of the plating process the applicant will be able to submit a site plan application.
2. An additional follow-up coordination meeting may be required to review project changes necessitated by the DRC comments.
3. Additional comments may be forthcoming at the DRC meeting.



Coastal Archaeology & History Research, Inc.

Cultural Resource Consultants

Saturday, August 10, 2019

Trisha Logan,
Planner III, HPB Liaison
City of Ft. Lauderdale Urban Design & Planning Division
700 NW 19th Ave
Ft. Lauderdale, FL 33311
t. 954.828.7101
e. tlogan@fortlauderdale.gov

Re: L17001 Whiddon Family LLC Land Use Plan Amendment.
1151 SW 9th Ave. Fort Lauderdale, Florida.
Folio #: 504209010322; 504209010360; 504209010330; 504209010321; 504209010320
Received by CAHR 7/24/19

Trisha Logan,

In capacity as archaeological consultant to the City of Fort Lauderdale I have reviewed the referenced application in accordance with Chapters 267, *Florida Statutes* and Section 47-25.5P, *Fort Lauderdale U.L.D.R* for possible effects to historic properties listed, or eligible for listing, on the *National Register of Historic Places* (NRHP) and/or designated, or eligible for designation, as City historical landmarks or sites, or otherwise of historical, architectural or archaeological value.

The subject property consists of approximately 10.5 ± acres and including both developed and vacant land; a review of historic aerials indicates that the cleared and vacant portions of the property have not been previously developed. There are two single family homes in the subject area (folio 504209010321 built circa 1949 and folio 504209010330 built circa 1957). Neither structure is recorded in the FMSF (February 2019).

The subject property is located within the South Bank New River Archaeological Zone, an area considered to have high potential for the occurrence of archaeological sites. Local archaeological modeling indicates that archaeological sites (Glades/Tequesta, Seminole, and Pioneer) demonstrated preference for relatively level and well-draining land in proximity to aquatic resources. A high density of archaeological deposits occur within 300 feet of the New River but have been demonstrated to extend beyond 600 feet from the river bank where they have been identified in-tact beneath mid-century and more modern construction.

The subject property is situated adjacent to the South Fork New River. It is relatively undeveloped and comprised of poor-draining Immokalee and Urban Land soil (<https://websoilsurvey.nrcs.usda.gov>). Review historic and more recent topographic maps (Fort Lauderdale South 1949; 1994) indicate a five-foot ridge in the western-central area of the property. Elevated features such as this, when they occur in context with aquatic resources / wetlands, have increased archaeological potential. In the late 1940s a unpaved road entered the western half of the property from the north and exited the east of the property following the same route as present-day Davie Road, no structures were recorded on the property in the 1949 topographic map.

Based on the available information it is my opinion that there is a low-to-moderate probability for the occurrence of potentially significant archaeological deposits within the subject property, with increased

potential in the west-central area of the property. Additionally, there are at least two structures in the subject property that are believed to be 50 years or older. In accordance with Section 47-25.5P, *Fort Lauderdale U.L.D.R.*, I recommend a Cultural Resource Assessment Survey of the subject property prior to the approval of site or development plans, demolition, or any ground disturbance activities, the survey should be designed to assess the age and significance (local and national historical eligibility) and include systematic subsurface archaeological testing.

1. The survey shall be conducted by a preservation professionals who meet the Secretary of the Interior professional standards (36 CFR part 61 *as amended*) and all work shall conform to Chapter 267, *Florida Statutes* and the professional *Standards* set forth in Chapter 1A-46 *Florida Administrative Code*.
2. Fieldwork shall include documentation of the existing structures (FMSF) and a systematic subsurface archaeological testing. All work shall conform to the “guidelines for identification, evaluation, recordation, and treatment of cultural resources” set forth in Module Three of the Florida Division of Historical Resource’s Cultural Resource Management Standards and Operational Manual. The archaeological survey shall consist of medium/high interval (recommend 15m intervals) subsurface shovel testing and the investigation report shall include a determination of significance and effect on any identified archaeological or historical resources within the property and recommendations as appropriate.
3. A final survey report shall be submitted to the City’s Historic Preservation Planner, Trisha Logan (tlogan@fortlauderdale.gov / 954-828-7107) for review of completion, determination of effects and/or significance, and approval or approval with conditions. The report should include further recommendation and mitigation strategies and identify the disposition of any archaeological collections as appropriate.

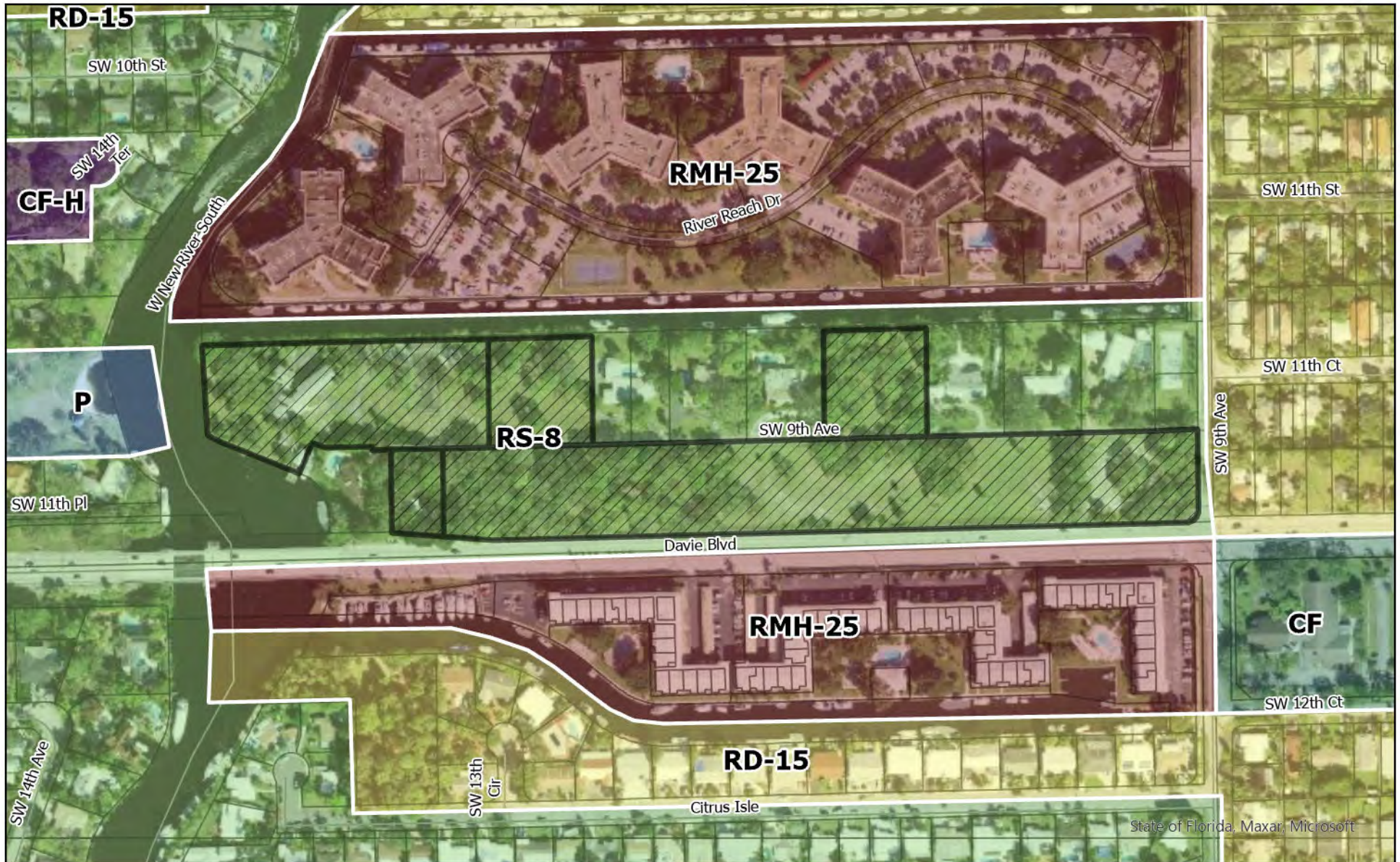
In the event that unmarked human remains are encountered then excavation in the vicinity of the find shall halt immediately and the archaeologist shall alert the City’s historic preservation staff to coordinate the discovery and take measures to implement Chapter 872.05 Florida Statutes as it pertains to the discovery of unmarked human remains.

Please contact me if you have any questions about this letter, my determinations or recommendations.

Regards,



Matthew DeFelice, M.A.
President / Archaeologist, CAHR, Inc.



UDP-P23003 - Riverside Plat - 1131 SW 9 AVE