

# Memorandum

**Date:** December 4, 2008

**To:** Marc C. LaFerrier, AICP, Director  
Department of Planning and Zoning

**From:** Jose Gonzalez, P.E., Assistant Director  
Environmental Resources Management



**Subject:** C-07 #Z2008000113-Revised  
Alta Mira Apartments, LP  
12000 N.E. 16<sup>th</sup> Avenue  
District Boundary Change from RU-3M to RU-4M and  
Unusual Use to Permit an Entrance Feature  
(RU-3M) (9.63 Acres)  
29-52-42

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The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

#### Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

#### Stormwater Management

A Surface Water Management General Permit from DERM shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat, or public works approval of paving and drainage plans. The applicant is advised to contact DERM for further information regarding permitting procedures and requirements.

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 25-year/3-day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP, subject to compliance with the conditions required by DERM for this proposed development order.

#### Air Quality Preservation

In the event that this project includes any kind of demolition, removal or renovation of any existing structure(s), an asbestos survey from a Florida-licensed asbestos consultant is required. If said survey shows friable asbestos materials in amounts larger than prescribed by federal law (260 linear feet of pipe insulation/thermal system insulation [TSI] or 160 square feet of surfacing material), then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor. A Notice of Asbestos Renovation or Demolition form must be filed with the Air Quality Management Division for both the abatement (renovation) work and the demolition activity at least 10 working days prior to starting the field operations.

#### Wetlands

The subject property does not contain jurisdictional wetlands as defined by Chapter 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### Tree Preservation

Tree Removal Permit 2008-TREE-PER-00455 was issued for this property to Alta Mira Apartments LP, on November 25, 2008 and is scheduled to expire on November 25, 2009. This permit authorizes the removal of all trees within the property except for the trees located in the N.E. 121<sup>st</sup> Street right-of-way.

All approved tree removal and relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit to avoid violation of permit conditions. The applicant is advised that a new Miami-Dade County Tree Removal Permit or an amendment to Tree Removal Permit 2008-TREE-PER-00455 is required prior to the removal or relocation of any other tree on the subject property. The DERM Tree Program may be contacted at (305) 372-6574 for further information.

#### Enforcement History

DERM has found the following enforcement records for the subject property:

##### **Palm Trailer Park (PSO 155)**

On January 29, 2003, a Notice of Violation (NOV) was issued to this facility for violation of Section 24-42 (formerly Section 24-13.1(a)) of the Code. Specifically, this facility failed to submit the required Sanitary Sewer Evaluation Survey (SSES). On May 30, 2003, a Final Notice Prior to Court Action (FNPTCA) was issued for non-compliance with the NOV. Subsequent SSES submittals were

disapproved on September 24, 2003 and on February 23, 2004. On May 7, 2008, the case was closed due to compliance.

On January 14, 2005, a Warning Notice was issued to this facility due to a wet-well surcharge and for operating with a pump out of service. The surcharge in the wet-well was subsequently corrected; however, a Uniform Civil Violation Notice (UCVN) # 965979 was issued to the facility as the pump remained out of service. Said UCVN was later voided due to errors. The case was subsequently closed due to compliance.

#### Alta Mira Apartments WWC 309

On May 4, 2007, a Notice of Required Connection (NORC) was issued to this facility requiring connection to sewers. A request for an extension of time for connection was filed with the Environmental Quality Control Board (EQCB). Said request was approved with a requirement for connection in an EQCB hearing held on June 12<sup>th</sup> 2008. This facility was granted an extension of time until October 12, 2008 in order to comply with Section 24-43.1(7) of the Code. On October 17<sup>th</sup> 2008, proof of proper abandonment of all septic tanks was provided to DERM from the Department of Health and the case was subsequently closed due to compliance.

#### Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.