

Memorandum



Date: September 5, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name in the "From:" field.

Subject: #Z2012000089-1st Revision
Miami Gardens Park, LLC
SW Corner of NW 182nd Lane and NW 59th Avenue
Zone Change from IU-C to RU-4L; Modification of a Previous
Agreement; Unusual Use to Permit and Entrance Feature; and
Unusual Use to Permit the Filling of a Lake
(IU-C) (8.2 Acres)
12-52-40

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application 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.

Be advised that the water main extension permit is issued by the Florida Department of Health. Civil drawings for the proposed water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

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 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

The proposed site plan does not match the previously approved paving and drainage plans under the existing Environmental Resource Permit number 13-03926-P issued by the Department. Therefore, a letter of permit modification is required. This letter must be obtained prior to the Department Plan Review and Development Approval.

The applicant shall demonstrate that partial filling of the existing lake will not result in higher ground water level in the surrounding area.

Any development in the post filling operation shall be required to conform to the conditions of a Surface Water Management Permit issued by the Department.

Wetlands

This property is part of Class IV Wetland Permit FW 00-083 which was issued for the filling of 0.037 acres of wetlands for a roadway between NW 186th Street and NW 177th Street. The permit expired on March 26, 2006. However, prior to the expiration date, 0.018 acres of wetlands were filled. The remainder 0.019 acres of wetlands were permitted under the same permit number (Class IV Wetland Permit FW00-083) on January 22, 2007, and expired on January 22, 2009. An on site inspection performed by staff on August 13, 2010 revealed that the wetlands on site were filled prior to the permit expiration date.

Therefore, this Section has no objection to the scheduling of this zoning application provided that no impacts occur beyond what was permitted on this site.

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

From 2007 to 2009 tree resources have been removed from this property without first obtaining the required Miami-Dade County Tree Removal/Relocation Permit. Consequently, the property owner shall be required to obtain an After-the-Fact Tree Removal/Relocation Permit. The applicant is advised that enforcement action may be forthcoming as a consequence of the violation. Section 24-49 of the Code requires the preservation of tree resources. Therefore, this Department will require the preservation of all the specimen-sized trees (trunk diameter 18 inches or greater) as defined in the Code, on the site.

A Miami Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is advised to contact the Tree Permitting Program at (305)-372-6600, voice option #2, for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary

A concurrency review has been conducted 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 written approval as required by Chapter 24 of the Code.

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

cc: Eric Silva, Department of Regulatory and Economic Resources