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Sec. Twp. Range **URBAN CENTER DISTRICTS HEARING APPLICATION**

**MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES**



LIST ALL FOLIO #s: 30-2203-000-0170

**1. NAME OF APPLICANT** (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

ELK Capital, LLC

**2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER, E-MAIL:**

Mailing Address: c/o Miguel Diaz de la Portilla and Elinette Ruiz 200 S. Biscayne Blvd. 36 FI  
City: Miami State: FL Zip: 33131  
Phone# 305-428-4544 Fax# 305-675-3729 E-mail: eruiz@arnstein.com

**3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:**

Owner's Name (Provide name of ALL owners): ELK Capital, LLC  
Mailing Address: 18205 Biscayne Blvd #2202  
City: Aventura State: FL Zip: 33160

**4. CONTACT PERSON'S INFORMATION:**

Name: Elinette Ruiz, Esq/ Company: Arnstein & Lehr, LLP  
Mailing Address: 200 S. Biscayne Blvd. 36 FI  
City: Miami State: FL Zip: 33131  
Phone# 305-428-4544 Fax# 305-675-3729 E-mail: eruiz@arnstein.com

**5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION**

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, and range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on diskette or compact disc in Microsoft Word or compatible software.)

Please see attached Exhibit "A."

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**6. ADDRESS OR LOCATION OF PROPERTY** (For location, use description such as NE corner of, etc.)

18801 West Dixie Highway  
Miami, Florida 33180

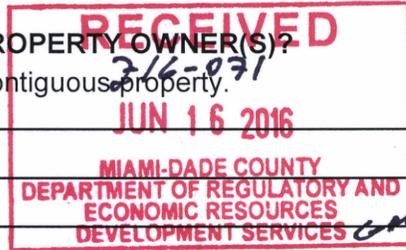
7. SIZE OF PROPERTY \_\_\_\_\_ ft x 52,148 Sq ft (in acres): 1.19  
(divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property  acquired  leased: 11/2014 (month & year)

9. Lease term: \_\_\_\_\_ years

10. IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)?  
no  yes  If yes, provide complete legal description of said contiguous property.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



11. Is there an option to purchase  or lease  the subject property or property contiguous thereto?  
no  yes  (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)  
Please see attached Disclosure of Interest.

12. PRESENT ZONING CLASSIFICATION: Mixed Use Main Street (MM)

13. APPLICATION REQUESTS (Check all that apply and describe nature of the request in space provided)

Urban Center District Regulating Plan Changes: To change land use designation to MC  
 Text Changes: \_\_\_\_\_

14. Do you require a translator for the actual hearing? Yes  No

If yes: Spanish  Haitian Creole  Other  (Please specify which language)  
\_\_\_\_\_

**APPLICANT'S AFFIDAVIT**

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

(I)(WE), \_\_\_\_\_, being first duly sworn, depose and say that (I am)(we are) the  owner  tenant of the property described and which is the subject matter of the proposed hearing.

\_\_\_\_\_  
Signature

Sworn to and subscribed to before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_



CORPORATION AFFIDAVIT

(I)(WE), ELK Capital, LLC, being first duly sworn, depose and say that (I am)(we are) the  President  Vice-President  Secretary  Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the  owner  tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest:  \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature

Office Held

(Corp. Seal)

Sworn to and subscribed to before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

PARTNERSHIP AFFIDAVIT

(I)(WE), \_\_\_\_\_, being first duly sworn, depose and say that (I am)(we are) partners of the aforesaid partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the  owner  tenant of the property described herein which is the subject matter of the proposed hearing.

\_\_\_\_\_  
(Name of Partnership)

By \_\_\_\_\_ %

By \_\_\_\_\_ %

By \_\_\_\_\_ %

By \_\_\_\_\_ %

Sworn to and subscribed to before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

ATTORNEY AFFIDAVIT

I, Elinette Ruiz, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

Sworn to and subscribed to before me this 14th day of June, 2016.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

*Beatriz Lama*  
Signature



OWNERSHIP AFFIDAVIT  
FOR  
CORPORATION

STATE OF FLORIDA Public Hearing No. \_\_\_\_\_

COUNTY OF MIAMI-DADE

Before me, the undersigned authority, personally appeared \_\_\_\_\_  
\_\_\_\_\_ hereinafter the Affiant(s), who being first duly  
sworn by me, on oath, deposes and says:

1. Affiant is the president, vice-president or CEO of the Corporation hereinafter named  
ELK Capital, LLC, with the following address:  
18205 Biscayne Blvd, Suite 2202; Aventura, Florida 33160
2. The Corporation owns the property which is the subject of the proposed hearing.
3. The subject property is legally described as:  
Please see Exhibit "A."
4. Affiant is legally authorized to file this application for public hearing.
5. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

**Witnesses:**

✓ [Signature]  
Signature

Denisse Castillo  
Print Name

✓ [Signature]  
Affiant's signature

LOUIS LINKEMER, MANAGER  
Print Affiant's name

✓ [Signature]  
Signature

Patricia Tenardo  
Print Name

Sworn to and subscribed before me on the 15 day of June 20 16.

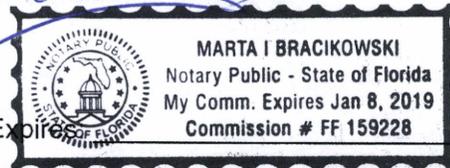
Affiant is personally known to me or has produced \_\_\_\_\_ as identification

Notary [Signature]



(Stamp/Seal)

Commission Expires



NAME OF PURCHASER: MG3 REALTY LLC

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

HERNAN LEONOFF

33.33%

MARCELO SAIEGH

33.33%

GUSTAVO BOGOMOLNI

33.33%

Date of contract: 4/6/16

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature

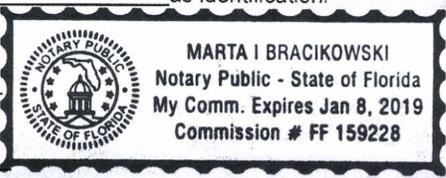
[Signature]  
(Applicant)

JORGE LINCOLN, MGR  
(Print Applicant name)

ELK Capital, LLC

Sworn to and subscribed before me this 15 day of June, 2016. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

[Signature]  
(Notary Public)



My commission expires: \_\_\_\_\_

Seal

\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.



DISCLOSURE OF INTEREST\*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

✓ CORPORATION NAME: ELK Capital, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Link Capital LLC</u>	<u>33</u>
<u>Star Gro Capital LLC</u>	<u>26</u>
<u>Ser Aqua LLC</u>	<u>26</u>
<u>Midland Property Group LLC</u>	<u>15</u>

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____



If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

✓ If there is a CONTRACT FOR PURCHASE, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

**APPLICANT'S AFFIDAVIT**

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

(I)(WE), \_\_\_\_\_, being first duly sworn, depose and say that (I am)(we are) the  owner  tenant of the property described and which is the subject matter of the proposed hearing.

\_\_\_\_\_  
Signature  
Sworn to and subscribed to before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

CORPORATION AFFIDAVIT

(I)(WE), ELK Capital, LLC, being first duly sworn, depose and say that (I am)(we are) the  President  Vice-President  Secretary  Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the  owner  tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest:  \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
Authorized Signature  
Office Held



Sworn to and subscribed to before me this 15 day of June, 2016.  
Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

PARTNERSHIP AFFIDAVIT

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By \_\_\_\_\_ %  
By \_\_\_\_\_ %  
By \_\_\_\_\_ %  
By \_\_\_\_\_ %



Sworn to and subscribed to before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

ATTORNEY AFFIDAVIT

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Sworn to and subscribed to before me this 14th day of June, 2016.  
Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

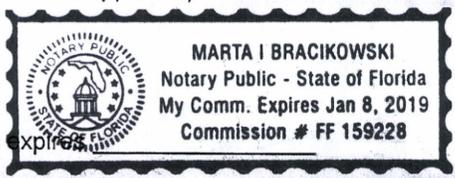


**ACKNOWLEDGEMENT BY APPLICANT**

1. Public Works Waste Management (PWWM), Environmental Resources Management (ERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before ERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any ERM or PWWM conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. Applicable Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3<sup>rd</sup> District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) should not be approved by a zoning board and the recommendation will be for denial or deferral. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved. I also understand that I will not be reimbursed any fees paid unless I withdraw within 60 days of filing and then I will receive a 50% refund.
5. Any covenant to be proffered must be submitted to the Department on County forms, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to the Department must carry a cover letter indicating subject matter, application number and hearing date.

✓   
\_\_\_\_\_  
(Applicant's Signature)

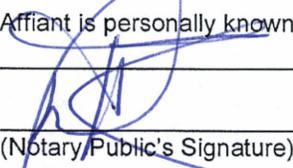
**ELK Capital, LLC**  
\_\_\_\_\_  
(Print Name of Applicant)



My commission expires \_\_\_\_\_  
State of \_\_\_\_\_

Sworn to and subscribed before me on the  
15 Day of June, 2016

Affiant is personally known to me or has produced \_\_\_\_\_  
as identification.

  
\_\_\_\_\_  
(Notary Public's Signature)

\_\_\_\_\_  
Print Name





# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 6/15/2016

Property Information	
Folio:	30-2203-000-0170
Property Address:	18801 W DIXIE HWY Miami, FL 33180-2633
Owner	ELK CAPITAL LLC
Mailing Address	18205 BISCAYNE BLVD #2202 AVENTURA, FL 33160 USA
Primary Zone	6600 COMMERCIAL - LIBERAL
Primary Land Use	7144 RELIGIOUS - EXEMPT : RELIGIOUS
Beds / Baths / Half	0 / 0 / 0
Floors	2
Living Units	0
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	17,658 Sq.Ft
Lot Size	52,148 Sq.Ft
Year Built	1956



Assessment Information			
Year	2016	2015	2014
Land Value	\$2,085,920	\$2,190,216	\$2,085,920
Building Value	\$716,738	\$645,064	\$621,173
XF Value	\$31,042	\$29,494	\$29,950
Market Value	\$2,833,700	\$2,864,774	\$2,737,043
Assessed Value	\$2,833,700	\$2,864,774	\$2,523,665

Benefits Information				
Benefit	Type	2016	2015	2014
Non-Homestead Cap	Assessment Reduction			\$213,378
Religious	Exemption			\$2,523,665

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

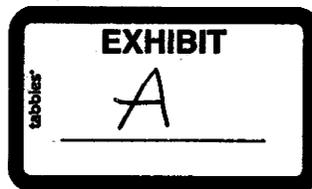
Short Legal Description
3 52 42
W150FT OF N165FT OF SW1/4 OF
NW1/4 OF SW1/4 LESS N25FT & W33FT
FOR R/W & E50FT OF W200FT OF
N150FT OF SW1/4 OF NW1/4 OF SW1/4

Taxable Value Information			
	2016	2015	2014
<b>County</b>			
Exemption Value	\$0	\$0	\$2,523,665
Taxable Value	\$2,833,700	\$2,864,774	\$0
<b>School Board</b>			
Exemption Value	\$0	\$0	\$2,737,043
Taxable Value	\$2,833,700	\$2,864,774	\$0
<b>City</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
<b>Regional</b>			
Exemption Value	\$0	\$0	\$2,523,665
Taxable Value	\$2,833,700	\$2,864,774	\$0

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
11/24/2014	\$2,600,000	29411-2032	Religious, charitable or benevolent organization
08/01/1996	\$950,000	17318-0806	Sales which are qualified
04/01/1993	\$0	00000-00000	Sales which are disqualified as a result of examination of the deed

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:



PRERT FCM X309/22/2016 MIAMI FL



Miami-Dade County  
Department of Regulatory & Economic Resources  
111 N. W. 1st Street Suite 1110  
Miami, Florida 33128-1974  
<http://www.miamidade.gov/zoning/>

Presort  
First Class Mail  
ComBasPrice



U.S. POSTAGE PITNEY BOWES



ZIP 33128 \$ 000.37<sup>6</sup>  
02 1W  
0001382955 SEP 21 2016

RETURN SERVICE REQUESTED

◆ ZONING HEARING NOTICE ◆

Z2016000071 BCC 4264  
MIAMI-DADE COUNTY  
DEPARTMENT OF PLANNING & ZONING  
ZONING HEARING SECTION  
111 N.W. 1 STREET SUITE 1110  
MIAMI, FLORIDA 33128-1974

3

33128-1923 0071



SEE REVERSE SIDE FOR  
OPENING INSTRUCTIONS

## **APPEALS OF COMMUNITY ZONING APPEALS BOARDS' DECISIONS TO THE BOARD OF COUNTY COMMISSIONERS**

- For those types of Community Zoning Appeals Board decisions that may be appealed to the Board of County Commissioners, the appeal period runs 14 days from the date the results of the Community Zoning Appeals Board are posted in the Department of Regulatory and Economic Resources.
- Results are typically posted on the Monday following a hearing.
- Appeals to the Board of County Commissioners are filed with the Zoning Hearings Section of the Department of Regulatory and Economic Resources on a form prescribed for appeals. An appeal fee is required to be submitted with the appeal form.

## **APPEALS OF THE BOARD OF COUNTY COMMISSIONERS & COMMUNITY ZONING APPEALS BOARDS' DECISIONS TO CIRCUIT COURT**

- Decisions of the Board of County Commissioners will become final unless appealed to the Circuit Court by an aggrieved party.
- Appeals of Commission and applicable Community Zoning Appeals Board decisions must be filed with the Circuit Court of the Eleventh Judicial Circuit within 30 days from the date of transmittal of the resolution to the Clerk of the Board of County Commissioners.

**PLEASE NOTE THAT THE APPLICATION MAY CHANGE DURING THE HEARING PROCESS.**

FOR ANY FURTHER INFORMATION ON THE ZONING HEARING PROCESS, PLEASE CONTACT THE ZONING HEARINGS SECTION AT (305) 375-2640.

### **FOR YOUR INFORMATION: NOTICE OF ZONING HEARING IN YOUR AREA**

This notice is to advise you that a zoning hearing application has been filed with the Miami-Dade County Department of Regulatory and Economic Resources which may be of interest to you and your immediate neighborhood. The name of the applicant, what is being requested and the location of the property that would be affected are contained on the inside of this mailer. The following information is provided to assist you in determining if you want to participate in the zoning hearing process.

- YOU are entitled to attend and to speak at the zoning hearing.
- YOU may submit written letters or petitions in favor of, or opposing this hearing.
- YOUR testimony along with county departmental recommendations and other evidence presented at the hearing will assist the zoning board in making its decision.
- YOU are entitled to discuss the application with the professional county staff members that are reviewing the application prior to the hearing.
- YOU cannot, however, in accordance with a court ruling, contact a County Commissioner or Community Zoning Appeals Board member individually, either orally or in writing, about the application outside of the public hearing.
- YOU will know of the zoning board's decision at the hearing unless this case is deferred by the board to another date.
- YOU may appeal any zoning decision if your name appears in the official record of the case. However, citizens who wish to APPEAL a zoning decision should be aware of the following:
- Decisions of all community zoning appeals boards will become final unless appealed by an aggrieved party.
- Appeals from community zoning appeals boards are made either to the board of county commissioners or to circuit court, depending on the type of application.

WEB PAGE TO VIEW THE HEARING FILE AT:  
[WWW.MIAMIDADE.GOV/RER/TRACK/CASE\\_TRACK.ASPX](http://WWW.MIAMIDADE.GOV/RER/TRACK/CASE_TRACK.ASPX)

INSTRUCTIONS UNDER FLAP

HEARING NUMBER: Z16-071

APPLICANT NAME: ELK CAPITAL, LLC

THE APPLICANT IS REQUESTING A MODIFICATION OF THE DENSITY REGULATING PLAN OF THE OJUS URBAN AREA DISTRICT (OUAD) IN ORDER TO CHANGE THE DENSITY OF THE PORTION OF THE PROPERTY DESIGNATED "MM" ON THE LAND USE REGULATING PLAN FROM A DENSITY RANGE OF 12 TO 52 UNITS/ACRE NET TO A MAXIMUM OF 52 UNITS/ARE NET, WITHOUT MINIMUM DENSITY REQUIREMENT.

LOCATION: 18801 WEST DIXIE HIGHWAY, EAST SIDE OF WEST DIXIE HIGHWAY, BETWEEN NE 188TH AND NE 189TH STREETS, IN THE NORTHEASTERN MIAMI-DADE COUNTY.

SIZE OF PROPERTY: 1.2 ACRES MORE OR LESS

IF FURTHER INFORMATION IS NEEDED, PLEASE CALL (305)375-2640, HEARING SECTION, OR VISIT OUR

HEARING WILL BE HELD AT THE  
MIAMI-DADE COUNTY-STEPHEN P. CLARK CTR  
BOARD OF COUNTY COMMISSIONERS CHAMBERS  
111 NW 1ST. STREET, 2ND FLOOR  
MIAMI-DADE COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS  
DATE 10/20/2016  
THURSDAY  
TIME 9:30 AM



**MIAMI-DADE COUNTY NOTICE OF PUBLIC HEARING**  
**PLEASE NOTE THAT THIS NOTICE IS FOR A ZONING HEARING IN YOUR AREA AND IS**  
**FOR YOUR INFORMATION ONLY.**

YOU ARE NOT REQUIRED TO RESPOND TO THIS NOTICE. HOWEVER, OBJECTIONS OR WAIVERS OF OBJECTION MAY BE MADE IN PERSON AT HEARING OR FILED IN WRITING PRIOR TO HEARING DATE. IT IS RECOMMENDED THAT SAME BE MAILED AT LEAST FIVE DAYS (EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS) BEFORE HEARING DATE. REFER TO HEARING NUMBER BELOW AND MAIL SAME TO MIAMI-DADE COUNTY DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES AGENDA COORDINATOR, 111 NW 1 STREET, SUITE 1110, MIAMI FLORIDA 33128-1974. FOR FURTHER INFORMATION, PLEASE CALL THE ZONING HEARINGS SECTION AT (305) 375-2640 OR VISIT OUR WEB SITE AT [WWW.MIAMIDADE.GOV/BUSINESS/TRACK/HOME.ASP](http://WWW.MIAMIDADE.GOV/BUSINESS/TRACK/HOME.ASP). IF YOU ARE IN NEED OF A TRANSLATOR FOR THIS MEETING, ONE CAN BE PROVIDED FOR YOU AT NO CHARGE BY CALLING (305) 375-1244 AT LEAST TWO WEEKS IN ADVANCE OF THE MEETING DATE

REMOVE SIDE EDGES FIRST  
 THEN FOLD, CREASE AND TEAR THIS STUB ALONG PERFORATION






Miami-Dade County  
Department of Regulatory and Economic Resources

BCC

**AFFIDAVIT FOR MAILING OF FINAL NOTICES**

Re: HEARING No. Z2016000071

I, as the undersigned individual, do hereby affirm by my signature and date that all of the property owners of record, as reflected on the Miami-Dade County Property Appraiser's tax roll as updated with

✓ 1/2 mile

minimum radius of the property described in the above-referenced file have been input into the computer system prior to the deadline for the mailing of notices.

Signature:

Eduardo Cespedes

Date:

07/06/16

I, as the undersigned individual, do hereby affirm that on the dated referenced below, the notices corresponding to the property owners as hereby referenced were delivered to the mail room for postmarking and mailing.

Signature:

Felix Acosta

Date:

09/21/16

I, as the undersigned individual, do hereby affirm that on the dated referenced below, the notices for the aforementioned file were received from the Zoning Agenda Coordinator's office and postmarked for delivery through the US Postal Service.

Signature:

Date:

9-21-16

To be retained in Hearing File



September 23, 2016

Department of Regulatory and Economic Resources  
Development Services Division  
111 NW 1st Street • Suite 1110  
Miami, Florida 33128-1902  
T 305-375-2800  
www.miamidade.gov/zoning

Elinette Ruiz  
200 S. Biscayne Blvd 36th Floor  
Miami, FL 33131

RE: **Elk Capital, Llc**  
**Hearing No. 16-71**

BCC  
03-52-42

Dear Elinette Ruiz:

Please accept this letter as official notification that the above referenced application is scheduled to be heard before the Board Of County Commissioners on **Thursday, October 20, 2016 at 9:30 a.m.** The hearing will be held at the **COUNTY COMMISSIONERS CHAMBERS OF THE STEPHEN P. CLARK CENTER - 2ND FLOOR, 111 NW 1 Street, Miami, Florida.**

If you have submitted plans, please bring a copy to the hearing. *Large exhibits may be brought to the hearing, however, an identical letter-size copy of each exhibit must be submitted for the file.*

If you are in need of a Translator for this meeting, one can be provided for you at no charge by calling (305) 375-1244, at least two weeks in advance of the meeting date.

**The applicant and/or the applicant's attorney must be present at the hearing.** All others must have a pre-approved power of attorney to represent the applicant. Forms for the power of attorney are available in the Zoning Hearing Section. The completed power of attorney form must be submitted to Cassandra Henderson, Zoning Hearings Processor at least seven (7) days prior to the scheduled Zoning Hearing. Processor will submit this form to be reviewed by the Legal Counsel Department a minimum of three (3) days prior to the Zoning Hearing.

Sincerely,

Franklin Gutierrez  
Services Coordinator  
RER Agenda Coordinator's Office

to:

HEARING NUMBER: 16-10-CC-3 (16-071)

APPLICANT NAME: ELK Capital, LLC.

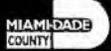
The applicant is requesting a modification of the Density Regulating Plan of the Ojus Urban Area District (OUAD) in order to change the density of the portion of the property designated MM on the land use regulating plan from a density range of 12 to 52 units/acre net to a maximum of 52 units/acre net, without minimum density requirement.

LOCATION: 18801 West Dixie Highway. East side of West Dixie Highway, between NE 188th and NE 189th Streets, in northeastern Miami-Dade County.

SIZE OF THE PROPERTY: +/- 1.2 ACRES

Bce

# 2680033



# PUBLIC HEARING

**ZONING HEARING**  
**BOARD OF COUNTY COMMISSIONERS**  
**THURSDAY, OCTOBER 20, 2016 – 9:30 A.M.**  
**COMMISSION CHAMBERS – 2ND FLOOR**  
**STEPHEN P. CLARK CENTER**  
**111 NW 1 STREET, MIAMI, FLORIDA**

**THE LIST BELOW CONTAINS ZONING ITEM(S) WHICH MAY BE OF INTEREST TO YOUR IMMEDIATE NEIGHBORHOOD.**

**1. ELK CAPITAL, LLC. (16-071)**

Location: 18801 West Dixie Highway, East side of West Dixie Highway, between NE 188th and NE 189th Streets, in northeastern, Miami-Dade County, Florida.  
Size of property: 1.2 Acres More or Less

The applicant is requesting a modification of the Density Regulating Plan of the Ojus Urban Area District (OUAD) in order to change the density of the portion of the property designated MM on the land use regulating plan from a density range of 12 to 52 units/acre net to a maximum of 52 units/acre net, without minimum density requirement.

**2. FILLMORE & LINCOLN, LLC. (16-072)**

Location: 18626 NE 24 Place, Miami-Dade County, Florida.  
Size of property: 0.25 Acre More or Less

The applicant is requesting to update the Land Use and the Density regulating plans of the Ojus Urban Area District (OUAD) in order to change the designation of the subject property from RM, Residential Modified, to MC, Mixed-Use Corridor, and to change the allowed density from a range of 12 to 36 units/acre net to a maximum density of 36 units/acre net.

**3. OR SM HOLDINGS, LLC. (16-073)**

Location: 18470 NE 25 Court, Miami-Dade County, Florida.  
Size of property: 0.17 Acre More or Less

The applicant is requesting to update the Land Use, the Density, the Sub-District and the Height regulating plans of the Ojus Urban Area District (OUAD) in order to: (1) change the designation of the subject property from R, Residential, to MC, Mixed-Use Corridor; (2) change the allowed density from a range of 6 to 13 units/acre net to a maximum density of 36 units/acre net; (3) re-designate the subject property from Edge Sub-District to Center Sub-District; and (4) amend the height from two stories (maximum) to a range of two stories (minimum) to four stories (maximum).

All persons are entitled to attend and to speak at zoning hearings. However, the courts have ruled that it is improper to contact a Board member individually, either orally or in writing, about zoning applications.

Those items not heard prior to the ending time for this meeting, will be deferred to the next available zoning hearing meeting date for this board.

Registration is available to any Homeowner's Association desiring that notice be provided to its president on zoning hearings involving its area of interest. For more information on this registration procedure, please call at the Zoning Hearing Section at (305) 375-2640.

If you are in need of a translator at the Hearing, one can be provided for you at no charge. To arrange for translating services, please call the Zoning Agenda Coordinator's Office at (305) 375-1244 at least two weeks in advance of the meeting date.

Maps and other data pertaining to these items are available for inspection at the MIAMI-DADE COUNTY DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES, (RER), 11TH FLOOR, 111 NW First Street, Miami, Florida. If further information is desired, call (305) 375-2640, or visit our WEB page to view the hearing file at:

[https://www.miamidade.gov/RER/Track/case\\_track.aspx](https://www.miamidade.gov/RER/Track/case_track.aspx)

Please refer to the hearing number when making an inquiry.

Miami-Dade County provides equal access and equal opportunity in employment and does not discriminate on the basis of disability in its programs or services. For material in alternate format, a sign language interpreter or other accommodations, please call the (RER) Development Services Division ADA Coordinator, at (305) 372-8779 at least five days in advance of the meeting.

\* A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at this meeting or hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based five days in advance.

For legal ads online, go to <http://legalads.miamidade.gov>



PHOTOS BY MARSHA HALPER mshalper@miamiherald.com

## UNITED WAY LAUNCHES EDEN PLACE

Family support specialist Mrs. Farah (the name she says all the kids at Overtown Youth Center know her by), above, offers literature about the new EDEN Place (Educate, Develop, Empower, Nurture.) on Saturday. Below, United Way of Miami-Dade President and CEO Harve Mogul gives a congratulatory kiss to Overtown Youth Center CEO and Executive Director Tina Brown. The United Way of Miami-Dade launched EDEN Place on Saturday at the youth center, 450 NW 14th St., Miami. The educational family resource center will provide free, comprehensive services through workshops and one-on-one counseling for the entire family.



**PLANNING & ZONING**

Group, consisting of 1 sheet, for a total of 4 sheets, dated stamped received 03/16/16."  
FROM: "10. That the charter school use be limited to grades Kindergarten through 1st and be limited to a maximum of 125 students."

TO: "10. That the charter school use be limited to grades Kindergarten through 3rd and be limited to a maximum of 125 students."

The purpose of the request is to revise the site plan showing the additional grades for the previously approved charter school.

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at public hearing.

LOCATION: 17701 NW 57 Avenue, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 3.4 Acres

HEARING NUMBER: 16-10-CC-3 (16-071)

APPLICANT NAME: ELK Capital, LLC.

The applicant is requesting a modification of the Density Regulating Plan of the Ojus Urban Area District (OUAD) in order to change the density of the portion of the property designated MM on the land use regulating plan from a density range of 12 to 52 units/acre net to a maximum of 52 units/acre net, without minimum density requirement.

LOCATION: 18801 West Dixie Highway. East side of West Dixie Highway, between NE 188th and NE 189th Streets, in northeastern Miami-Dade County.

SIZE OF THE PROPERTY: +/- 1.2 ACRES

HEARING NUMBER: 16-10-CC-4 (16-072)

APPLICANT NAME: Fillmore & Lincoln, LLC

The applicant is requesting to update the Land Use and the Density regulating plans of the OJUS Urban Area District (OUAD) in order to change the designation of the subject property from RM, Residential Modified, to MC, Mixed-Use Corridor, and to change the allowed density from a range of 12 to 36 units/acre net to a maximum density of 36 units/acre net.

LOCATION: 18626 NE 24 Place, Miami-Dade County, Florida.

SIZE OF THE PROPERTY: +/- 0.25 ACRES

HEARING NUMBER: 16-10-CC-5 (16-073)

APPLICANT NAME: OR SM Holdings, LLC

The applicant is requesting to update the Land Use, the Density, the Sub-District and the Height regulating plans of the OJUS Urban Area District (OUAD) in order to: (1) change the designation of the subject property from R, Residential, to MC, Mixed-Use Corridor; (2) change the allowed density from a range of 6 to 13 units/acre net to a maximum density of 36 units/acre net; (3) re-designate the subject property from Edge Sub-District to Center Sub-District; and (4) amend the height from two stories (maximum) to a range of two stories (minimum) to four stories (maximum).

LOCATION: 18470 NE 25 Court, Miami-Dade County, Florida

SIZE OF THE PROPERTY: +/- 0.17 ACRES

In accordance with Sections 33-313, 314, and 315 of the Code of Miami-Dade County, all **Board of County Commissioners'** decisions are subject to review by the Circuit Court of Appeals upon appeal when filed with the Clerk of the Court at **Miami-Dade County Court House, Appellate Division, 73 West Flagler, Room 135 - Balcony, Miami, FL 33130**, within 30 days from the date of transmittal of the resolution to the Clerk of the Board.

A person who decides to appeal any decision made by the **Community Zoning Appeals Board** with respect to any matter considered at its hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

9/27

16-104/0000156412M

**Attention Daily Business Rev**

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to the Board of County Commissioners**

PH: Z16-071 (16-10-CC-3)

October 20, 2016

Item No. 3

<b>Recommendation Summary for Ojus Urban Area District (OUAD)</b>	
<b>Commission District</b>	4
<b>Applicant</b>	ELK Capital, LLC
<b>Summary of Requests</b>	This application is to modify the density regulating plan of the Ojus Urban Area District (OUAD) to change the density of the portion of the property designated MM on the land use regulating plan from a density range of 12 to 52 units/acre net to a maximum of 52 units/acre net, without minimum density requirement.
<b>Location</b>	18801 West Dixie Highway, Miami-Dade County.
<b>Property Size</b>	±1.2-acres (52,148 square feet)
<b>Existing Zoning</b>	Ojus Urban Area District (OUAD) – MM, Mixed-Use Main Street.
<b>Existing Land Use</b>	Religious facility
<b>2015-2025 CDMP Land Use Designation</b>	Urban Center
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-284.89.3 Amendments to Urban Center or Urban Area District Land Use Plan Category or Other Regulating Plan
<b>Recommendation</b>	<b>Approval</b>

**REQUEST:**

This application is to modify the density regulating plan of the **Ojus Urban Area District (OUAD)** to change the density of the portion of the subject property designated MM on the land use regulating plan from a density range of 12 to 52 units/acre net to a maximum of 52 units/acre, without minimum density requirement.

**PROPERTY HISTORY & DESCRIPTION:**

The subject property is located on the east side of West Dixie Highway between NE 188<sup>th</sup> and NE 189<sup>th</sup> Streets. The subject property is located within the Ojus Urban Area District, one of the County's Urban Center Districts.

On June 6, 2006 the Board of County Commissioners adopted Ordinance No. 06-86 establishing the **Ojus Urban Area District (OUAD) Regulations**. The OUAD provides the regulatory framework for all development within the Ojus area of northeastern Miami-Dade County. The properties within OUAD boundaries were rezoned to OUAD on March 8, 2007, pursuant to Resolution No. Z-3-07. The OUAD regulations have subsequently been amended in 2007, 2014, 2015, and 2016. OUAD, as well as most of the other Urban Center Districts, rely on the Standard Urban Center District Regulations for the basic regulatory framework. Prior to the OUAD rezoning, the property was zoned BU-1A, Limited Business District and IU-1, Industrial, Light Manufacturing District.

The subject property is currently designated MM, Mixed-Use Main Street, and MCI, Mixed-Use Industrial, on the OUAD's land use regulating plan. The OUAD's density plan shows that the

portion designated MM is assigned a residential density range from a minimum of 12 to a maximum of 52 dwelling units per net acre while the portion designated MCI is assigned a maximum residential density of 52 dwelling units per net acre. Approval of the applicant's requests would result in the entire property being assigned a maximum residential density of 52 dwelling units per net acre, without requiring a minimum density.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	OUAD - MM; Religious facility	Metropolitan Urban Center
<b>North</b>	OUAD – MM, MCI; Retail, post office	Metropolitan Urban Center
<b>South</b>	OUAD - MM; Retail center	Metropolitan Urban Center
<b>East</b>	OUAD - MCI; Industrial facility	Metropolitan Urban Center
<b>West</b>	OUAD - MM; funeral home and vacant land	Metropolitan Urban Center

**RECOMMENDATION:**

As shown on the table above, the prevailing land use designation along this segment of West Dixie Highway is MM, Mixed-Use Main Street. Mixed-Use Main Street is a mixed-use land use category that, in the case of the Ojus Urban Area District, requires the vertical integration of multi-family residential and business/office uses, by assigning the properties in said category a required minimum and maximum residential density.

The Ojus Urban Area District regulations were developed in order to implement the land use recommendations of the Ojus Charrette Report – A Vision for the Ojus Area. The Report, which was accepted by the Board of County Commissioners in February 2004, envisions the portion of West Dixie Highway where this application is located as a Main Street-like, pedestrian-friendly, commercial corridor. The vision was furthered in the ordinance through the designation of the properties abutting as MM, Mixed-Use Main Street as well. OUAD also implements the Comprehensive Development Master Plan's (CDMP) designation of the area as part of the Aventura Metropolitan Urban Center.

As previously stated, approval of the applicant's request would result in the deletion of the minimum density requirement for the MM portion of the subject property, thus rendering the entire property subject to the maximum density requirement only. The removal of the minimum residential density requirement effectively means that the property may be developed with single-use commercial/office without the previously required residential component or with a vertically integrated, mixed-use development.

In staff's opinion, approval of the requested modification of the OUAD density regulating plan would continue to further the vision of a commercial corridor along this segment of West Dixie Highway, as described in the Ojus Charrette Report.

Regarding non-transportation County services, staff notes that the approval of the request will not adversely impact the County's adopted Level of Service (LOS) standards. The memoranda from the Division of Environmental Resources Management of RER (DERM) and the Water and Sewer Department (WASD) indicate that the subject property is currently on septic and that connection to the sewage system would be required at the time of development. The latter memoranda also indicate that although there is a sewage pump moratorium within the

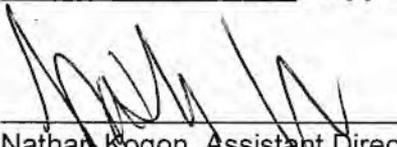
respective drainage basin while construction of new pump and force main takes place, DERM is allowing some conditional allocations in the interim time. Based on the aforementioned memoranda and the memoranda provided by the Miami-Dade Fire Rescue Department, the Park, Recreation and Open Spaces Department, and other departments, staff opines that approval of the subject request will not generate or result in excessive noise, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, or other such facilities which have been constructed or which are planned and budgeted for construction.

Regarding transportation facilities, the subject application is located within the County's designated Urban Infill Area and within a designated Metropolitan Urban Center. Traffic impacts for the site will be determined at the time of Administrative Site Plan Review (ASPR). It should be noted, however, that the County's Comprehensive Development Master Plan (CDMP) establishes urban centers primarily as transit-oriented, pedestrian-oriented hubs of urban development intensification around and along existing and proposed premium transit facilities. In doing so, the CDMP acknowledges the deterioration of roadway levels of service and the improvement of transit levels of service within these areas. This is also furthered in the CDMP by exempting properties within the County's designated Urban Infill Area and urban centers from the "concurrency" requirement for transportation facilities. The Ojus Urban Area District is located along one of the County's six SMART corridors, the Tri-Rail Coastal Link, and the district is designed to support the proposed premium transit facilities.

Staff opines that the applicant's request for a modification to the density plan of the OUAD will not result in a negative impact on the surrounding area and would be compatible with the same. **Therefore, staff recommends approval of the request under Section 33-284.89.3.**

Staff opines that by continuing to further the vision of the Ojus Charrette Report, as previously stated, the subject application contributes to the implementation of the CDMP policies under objectives LU-7 and LU-9 that promote urban centers and transit-oriented development as well as the related interpretative text; thus, rendering the application **consistent** with the CDMP. Therefore, staff recommends approval of the modification to the density regulating plan of the OUAD.

**RECOMMENDATION: Approval**

  
\_\_\_\_\_  
Nathan Rogon, Assistant Director  
Development Services Division  
Miami-Dade County  
Department of Regulatory and Economic Resources

**ZONING RECOMMENDATION ADDENDUM**  
Miami-Dade Department of Regulatory and Economic Resources  
16-071

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
Division of Environmental Resources Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Public Works & Waste Management	No objection
Parks, Recreation and Open Space	No objection
Water and Sewer Department (WASD)	No objection
Fire Rescue	No objection
Police	No objection.
Schools	No comment
*Subject to conditions in the Department's attached memorandum.	

**COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES,  
POLICIES AND INTERPRETATIVE TEXT**

<b>Land Use Element Goal</b>	<i>Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and the man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.</i>
<b>Land Use Element Objective LU-1</b>	<i>The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.</i>
<b>Land Use Element Policy LU-1A</b>	<i>High intensity, well-designed urban centers shall be facilitated by Miami-Dade County at locations having high countywide multimodal accessibility.</i>
<b>Land Use Element Policy LU-1C</b>	<i>Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.</i>
<b>Land Use Element Policy LU-1F</b>	<i>To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.</i>
<b>Land Use Element Policy LU-1G</b>	<i>Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.</i>
<b>Land Use Element Objective LU-5</b>	<i>All public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goal, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Development Master Plan.</i>
<b>Land Use Element Objective LU-7</b>	<i>Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian and bicycle friendly environment that promotes the use of rapid transit services.</i>

## ZONING RECOMMENDATION ADDENDUM

Miami-Dade Department of Regulatory and Economic Resources  
16-071

<b>Land Use Element Policy LU-7D</b>	<i>Redevelopment of property within one-half mile of existing or planned mass transit stations and bus routes shall not cause an increase in walking distances from nearby areas to the transit services and shall, wherever practical, be done by establishing blocks of walkable scale that form an interconnected network of streets, maximizing connectivity with existing streets and promoting a comfortable and attractive environment for pedestrians.</i>
<b>Land Use Element Policy LU-8A</b>	<i>Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial and cultural centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.</i>
<b>Land Use Element Objective LU-9</b>	<i>Miami-Dade County shall continue to maintain, update and enhance the Code of Miami-Dade County, administrative regulations and procedures, and special area planning program to ensure that future land use and development in Miami-Dade County is consistent with the CDMP, and to promote better planned neighborhoods and communities and well-designed buildings.</i>
<b>Land Use Element Policy LU-9F</b>	<i>Miami-Dade County shall formulate and adopt zoning or other regulations to implement the policies for development and design of Metropolitan and Community Urban Centers established in the CDMP through individual ordinances for each urban center.</i>
<b>Land Use Element Policy LU-9G</b>	<i>Miami-Dade County shall review and revise its development regulations to promote building designs in multi-family residential zoning districts which are more compatible with, and sensitive to, surrounding neighborhoods, and to establish minimum densities for development in multifamily residential zoning districts.</i>
<b>Land Use Element Policy LU-9H</b>	<i>Miami-Dade County shall continue its special area planning program with emphasis on the preparation of physical land use and urban design plans for strategic and high-growth locations, such as urban centers and certain transportation corridors as defined in the CDMP.</i>
<b>Land Use Element Policy LU-9I</b>	<i>Miami-Dade County shall continue to update and enhance its land development regulations and area planning program to facilitate development of better planned neighborhoods and communities, and well-designed buildings, and shall encourage and assist municipalities to do the same.</i>
<b>Land Use Element Policy LU-9P</b>	<i>Miami-Dade County shall revise land development regulations to allow work-live units in the Business and Office and Industrial and Office land use categories. The term work-live means that the needs of the work component takes precedence over the quiet expectations of residents, in that there may be noise, odors, or other impacts of the business, as well as employees, walk-in trade or sales. The predominant use of a work-live unit is industrial or commercial work activity and residential activity is secondary.</i>
<b>Land Use Element Policy LU-9Q</b>	<i>The County shall coordinate with affected municipalities to prepare plans for areas designated as "urban centers" on the Land Use Plan Map, and other small area and neighborhood plans as needed and appropriate. These plans shall formulate a vision for the development and redevelopment of these areas in order to identify appropriate locations for higher density development, recommend area specific design requirements, and produce working and living environments that reflect community goals.</i>
<b>Land Use Element Policy LU-10</b>	<i>Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multimodal transportation systems.</i>
<b>Land Use Element Policy LU-10A</b>	<i>Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, moderate to high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation. To facilitate and promote such development Miami-Dade County shall orient its public facilities and infrastructure planning efforts to minimize and reduce deficiencies and establish the service capacities needed to support such development.</i>
<b>Land Use Element Objective LU-12</b>	<i>Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in an built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law.</i>
<b>Land Use Element Policy LU-12D</b>	<i>The County shall consider developing strategies that promote infill development in specific areas.</i>

**ZONING RECOMMENDATION ADDENDUM**  
 Miami-Dade Department of Regulatory and Economic Resources  
 16-071

<b>Mass Transit Subelement Objective MT-2</b>	<i>Coordinate the provision of efficient transit service and facilities with the location and intensity of designated future land use patterns as identified on the Land Use Plan Map, and the goal, objectives and policies of the Land Use Element.</i>
<b>Mass Transit Subelement Policy MT-2A</b>	<i>Transit system improvements shall be coordinated with, and support the staging and shaping of development as planned in the Land Use Element, through Miami-Dade County's transportation planning process.</i>
<b>Mass Transit Subelement Policy MT-2B</b>	<i>The area surrounding future rapid transit stations not yet sited or depicted on the Land Use Plan map shall be designed and developed, at a minimum, as community urban centers, containing land use and development designs that promote transit use as defined in the Land Use Element.</i>
<b>Land Use Element Urban Centers</b>	<p><b>Urban Centers</b></p> <p><i>Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.</i></p> <p><i>The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them.</i></p> <p><i>The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and areawide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour.</i></p> <p><i>Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.</i></p> <p><b>Policies for Development of Urban Centers</b></p> <p><i>Following are policies for development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform to the guidelines provided below.</i></p>

**ZONING RECOMMENDATION ADDENDUM**  
Miami-Dade Department of Regulatory and Economic Resources  
16-071

**Uses and Activities.** Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses is encouraged, and may be approved, in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.

**Radius.** The area developed as an urban center shall extend to a one-mile radius around the core or central transit station of a Regional Urban Center designated on the LUP map. Designated Metropolitan Urban Centers shall extend not less than one-quarter mile walking distance from the core of the center or central transit stop(s) and may extend up to one-half mile from such core or transit stops along major roads and pedestrian linkages. Community Centers shall have a radius of 700 to 1,800 feet but may be extended to a radius of one-half mile where recommended in a professional area plan for the center, consistent with the guidelines herein, which plan is approved by the Board of County Commissioners after an advertised public hearing. Urban Center development shall not extend beyond the UDB.

**Streets and Public Spaces.** Urban Centers shall be developed in an urban form with a street system having open, accessible and continuous qualities of the surrounding grid system, with variation, to create community focal points and termination of vistas. The street system should have frequent connections with surrounding streets and create blocks sized and shaped to facilitate incremental building over time, buildings fronting on streets and pedestrian pathways, and squares, parks and plazas defined by the buildings around them. The street system shall be planned and designed to create public space that knits the site into the surrounding urban fabric, connecting streets and creating rational, efficient pedestrian linkages. Streets shall be designed for pedestrian mobility, interest, safety and comfort as well as vehicular mobility. The size of blocks and network of streets and pedestrian accessways shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. Emphasis shall be placed on sidewalks, with width and street-edge landscaping increased where necessary to accommodate pedestrian volumes or to enhance safety or comfort of pedestrians on sidewalks along any high-speed roadways. Crosswalks will be provided, and all multi-lane roadways shall be fitted with protected pedestrian refuges in the center median at all significant pedestrian crossings. In addition, streets shall be provided with desirable street furniture including benches, light fixtures and bus shelters. Open spaces such as public squares and greens shall be established in urban centers to provide visual orientation and a focus of social activity. They should be located next to public streets, residential areas, and commercial uses, and should be established in these places during development and redevelopment of streets and large parcels, particularly parcels 10 acres or larger. The percentage of site area for public open spaces, including squares, greens and pedestrian promenades, shall be a minimum of 15 percent of gross development area. This public area provided outdoor, at grade will be counted toward satisfaction of requirements for other common open space. Some or all of this required open space may be provided off-site but elsewhere within the subject urban center to the extent that it would better serve the quality and functionality of the center.

**Density and Intensity.** The range of average floor area ratios (FARs) and the maximum allowed residential densities of development within the Regional, Metropolitan and Community Urban Centers are shown in the table below.

Average Floor Area Ratios (FAR)

**ZONING RECOMMENDATION ADDENDUM**  
 Miami-Dade Department of Regulatory and Economic Resources  
 16-071

	<i>Average Floor Area Ratios (FAR)</i>	<i>Max. Densities Dwellings per Gross Acre</i>
<i>Regional Activity Centers</i>	<i>greater than 4.0 in the core not less than 2.0 in the edge</i>	500
<i>Metropolitan Activity Centers</i>	<i>greater than 3.0 in the core not less than 0.75 in the edge</i>	250
<i>Community Urban Centers</i>	<i>greater than 1.5 in the core not less than 0.5 in the edge</i>	125

*In addition, the densities and intensities of developments located within designated Community Urban Centers and around rail rapid transit stations should not be lower than those provided in Policy LU-7F. Height of buildings at the edge of Metropolitan Urban Centers adjoining stable residential neighborhoods should taper to a height no more than 2 stories higher than the adjacent residences, and one story higher at the edge of Community Urban Centers. However, where the adjacent area is undergoing transition, heights at the edge of the Center may be based on adopted comprehensive plans and zoning of the surrounding area. Densities of residential uses shall be authorized as necessary for residential or mixed-use developments in Urban Centers to conform to these intensity and height policies.*

*As noted previously in this section, urban centers are encouraged to intensify incrementally over time. Accordingly, in planned future rapid transit corridors, these intensities may be implemented in phases as necessary to conform with provisions of the Transportation Element, and the concurrency management program in the Capital Improvement Element, while ensuring achievement of the other land use and design requirements of this section and Policy LU-7F.*

**3. ELK CAPITAL, LLC  
(Applicant)**

**16-10-CC-3(16-071)  
BCC/District 04  
Hearing Date: 10/20/16**

Property Owner (if different from applicant) Same.

Is there an option to purchase  /lease  the property predicated on the approval of the zoning request? **Yes  No**

If so, who are the interested parties? MG3 Realty ,LLC.

Disclosure of interest form attached? **Yes  No**

**Previous Zoning Hearings on the Property:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
2007	Director of Dept. of Planning & Zoning	- Zone changes from multiple zones to OJUS CUC.	BCC	Approved

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

# Memorandum



**Date:** July 28, 2016

**To:** Jack Osterholt, Deputy Mayor/Director  
Department of Regulatory and Economic Resources

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

**Subject:** BCC #Z2016000071  
ELK Capital, LLC  
18801 West Dixie Highway  
DBC from Mixed Use Main (MM) to Mixed Use Corridor (MC)  
(1.19 Acres)  
03-52-42

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

The subject application has been reviewed by the Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) 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 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. Public water is provided by the City of North Miami Beach Water and Sewer Department.

Civil drawing for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department (MDWASD) and the Environmental Wastewater Permitting Section of DERM prior to approval of final development orders.

Applicant is advised that receiving sanitary pump station 30-0394 is currently under Absolute Moratorium; however, improvements to this pump station have been approved by DERM and MDWASD. Applicant is advised that DERM can issue conditional sewer capacity certification for this project subject to the certification of completion of the pump station in accordance with the new USEPA/FDEP Consent Decree (Case: NO. 1:12-cv-24400-FAM, effective December 6, 2013). DERM cannot issue Certificates of Occupancy/Certificates of Completion for any associated building permits until pump station 30-0394 has been certified complete and operating in compliance.

#### Tree Preservation

No landscape survey was submitted with the application. An aerial review of the property indicates the presence of tree resources. Therefore a recommendation of approval is conditioned that no trees are impacted, specifically that specimen trees (trees with a diameter at breast height of 18 inches or greater) are preserved.

Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree 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. Projects and permits shall meet the

requirements of Sections 24-49.2 and 24-49.4 of the Code, specifically the specimen tree standard and CON 8A of the Comprehensive Development Master Plan (CDMP).

Finally, in accordance with Section 24-49.9 of the Code and CON8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. DERM also recommends that this requirement be included as a condition of any zoning approval.

Please contact Tree Permitting Program at (305) 372-6574 for additional information regarding tree permitting procedures and requirements.

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.

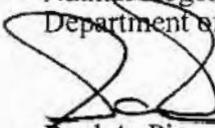
cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** July 1, 2016

**To:** Nathan Kogon, Assistant Director  
Department of Regulatory and Economic Resources

**From:**   
Raul A. Pino, PLS, Chief  
Platting and Traffic Review Section  
Department of Regulatory and Economic Resources

**Subject:** Z2016000071  
Name: ELK Capital, LLC  
Location: 18801 West Dixie Highway  
Section 03 Township 52 South Range 42 East

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The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objections.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications and/or improvements required will be accomplished thru the recording of a plat.

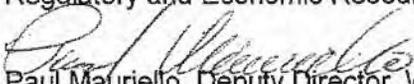
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order

# Memorandum



**Date:** July 22, 2016

**To:** Nathan Kogon, Assistant Director  
Regulatory and Economic Resources Department

**From:**   
Paul Mauriello, Deputy Director, Waste Operations  
Department of Solid Waste Management

**Subject:** Elk Capital, LLC (#16\_071)

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The Department of Solid Waste Management (DSWM) has no objections to the proposed application. The Department's review of the above-referenced item is provided below.

The applicant requests a change in land use designation from (MM) Mixed Use Main Street to MC (Mixed-Use corridor) for a property located in the Ojus Urban Area District. The application will have no DSWM impact or any associated costs.

If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager, Intergovernmental and External Affairs, at (305) 375-1354.

# Memorandum



Date: August 11, 2016

To: Nathan Kogon, Assistant Director  
Development Services  
Department of Regulatory and Economic Resources (RER)

From: Maria A. Valdes, CSM, LEED® Green Associate *Maria A. Valdes*  
Chief, Comprehensive Planning & Water Supply Certification Section

Subject: Zoning Application Comments - ELK Capital, LLC  
Application No. Z2016000071 – REVISION # 1

The Water and Sewer Department (WASD) has reviewed the zoning application for the proposed development. Below, please find the comments for the subject application. The information provided below is preliminary and it does not affect the Zoning Process. The applicant is advised to consult with their engineer and the WASD Plans Review staff to finalize points of connection and capacity approval.

Application Name: ELK Capital, LLC

Location: The proposed project is located at 18801 West Dixie Highway with Folio No. 30-2203-000-0170, in unincorporated Miami-Dade County.

Proposed Development: District Boundary Change from to Mixed Use Main Street (MM) to Mixed Used Corridor (MC). No site plans was submitted with this application.

Water: The proposed development is located within the City of North Miami Beach water service area. Please consult with the Utility Department of the City of North Miami Beach for any infrastructure that they may have in their service area. Also, a Water Supply Certification (WSC) is not required from WASD as the project is located entirely within the City of North Miami Beach's water service area and the water supply will be provided by the North Miami Beach Utility.

Sewer: The proposed development is located within the WASD's sewer service area. The property is currently on septic. A site plan was not submitted with this application and thus the sewer loading on the sewer system cannot be calculated at this time. The closest gravity sewer system to the vicinity of this project is an 8-inch sanitary gravity sewer line located 100 feet to the west of the intersection of West Dixie HWY and NE 190<sup>th</sup> Street, provided that there is sufficient depth and that there are no obstacles that would preclude construction of the sewer facilities.

Please note that said gravity sewer system is in another sanitary sewer basin and if connection to said basin is allowed, the sewage flow from the proposed development would be transmitted to Pump Station (P.S.) 394 and P.S. 423. Currently P.S. 423 is in OK Moratorium Status, **but P.S. 394 is currently on Absolute Moratorium (AM). Nonetheless, DERM is allowing conditional allocation as a new Pump Station and Force Main are under construction. Said new Pump Station and Force Main are scheduled to be completed by the end of November 2016.**

Connection to the sanitary sewer system is subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2 A(2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required. Connection to the COUNTY'S sewage system will be subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the COUNTY and the United States, the

State of Florida and/or any other governmental entity, including but not limited to, the Consent Order entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Any public water or sewer infrastructure must be within a public right-of-way, or within a utility easement.

Below please find additional links to the WASD portal which provides information on the Construction & Development process for water and sewer infrastructure.

<http://www.miamidade.gov/water/construction-development.asp>

<http://www.miamidade.gov/water/construction-service-agreement.asp>

<http://www.miamidade.gov/water/construction-existing-service.asp>

<http://www.miamidade.gov/water/library/forms/service-agreement.pdf>

Should you have any questions, please call me at (786) 552-8198 or Alfredo Sanchez at (786) 552-8237.

# Memorandum



**Date:** August 3, 2016

**To:** Jack Osterholt, Deputy Mayor  
Director, Regulatory and Economic Resources Department

**From:** Maria Nardi, Chief *MN*  
Planning and Design Excellence Division  
Parks, Recreation and Open Spaces Department

**Subject:** Z2016000071: ELK CAPITAL, LLC

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**Application Name:** ELK CAPITAL, LLC

**Project Location:** The site is located at 18801 W DIXIE HWY, Miami-Dade County.

**Proposed Development:** The request is for a CHANGE LAND USE DESIGNATION FROM MM with no specific use designated at this time.

**Impact and demand:** This application does not generate any new residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

**Recommendation:** PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

Cc: John M. Bowers, Parks Planning Section Supervisor

# Memorandum



**Date:** 13-JUL-16  
**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
Miami-Dade Fire Rescue Department  
**Subject:** Z2016000071

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## Recommendation:

Fire Engineering & Water Supply Bureau reviewed and approved the above referenced zoning pre-application. The application is only to change land use designation. Any proposed site plan that might become applicable to this zoning hearing shall be subject to site plan approval.

## Service Impact/Demand

Development for the above Z2016000071  
located at 18801 W DIXIE HWY, MIAMI-DADE COUNTY, FLORIDA.  
in Police Grid 196 is proposed as the following:

<u>N/A</u>	dwelling units	<u>N/A</u>	square feet
residential		industrial	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
Office		institutional	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: Minimal Impact. N/A alarms-annually.

## Existing services

The Fire station responding to an alarm in the proposed development will be: Station # 41  
The estimated average travel time is: 6.01 minutes

## Planned Service Expansions:

The following stations/units are planned in the vicinity of this development: N/A  
N/A

## Fire Planning Additional Comments

OK

# **BUILDING AND NEIGHBORHOOD COMPLIANCE**

## **ENFORCEMENT HISTORY**

ELK CAPITAL, LLC

18801 W DIXIE HWY,  
MIAMI-DADE COUNTY, FLORIDA

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APPLICANT

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ADDRESS

OCTOBER 20, 2016

Z2016000071

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DATE

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HEARING NUMBER

**FOLIO NUMBER: 30-2203-000-0170**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

September 16, 2016

**NEIGHBORHOOD REGULATIONS:**

There are no Open or Closed Cases

**BUILDING SUPPORT REGULATIONS OPEN:**

**Building Support Case # 20070106516X**, was opened on January 30, 2007, for Failure to maintain a building or structure, or any part thereof, in a safe condition due to expiration of permit #1993072510. A Notice of Violation issued on April 12, 2007. Civil Violation Notice Number B034677, was issued on October 26, 2007. A Lien was recorded on November 20, 2009. **There are outstanding fees. The Lien was referred to Finance Credit and Collection. All inquiries can be obtained by contacting the Finance Credit and Collections Department at 786-469-5200.** The case remains open.

**Building Support Case # 20070106517X**, was opened on January 30, 2007, for Failure to maintain a building or structure, or any part thereof, in a safe condition due to expiration of permit #1988087692. A Notice of Violation was issued on July 31, 2007. Civil Violation Notice Number B035210, was issued on December 6, 2007. A Lien was recorded on March 11, 2011. **The current Pay-off amount is \$16,761.23, with a \$3.31 per diem. There are no Payment/Consent Agreements on file.** The case remains open.

**Building Support case # 20070112371B**, was opened on January 30, 2007, for Failure to obtain required building permit(s) prior to commencing work on: reroofing without the required permit. A Notice of Violation was issued on July 31, 2007. Civil Violation Notice Number B035210, was issued on November 21, 2007. A Lien was recorded on July 21, 2010. **The current Pay-off amount is \$17,533.40, with a \$3.31 per diem. There are no Payment/Consent Agreements on file.** The case remains open.

**BUILDING SUPPORT REGULATIONS CLOSED:**

There are no Closed Cases

**VIOLATOR:**

ELK Capital, LLC

**OUTSTANDING LIENS AND FINES:**

As of September 16, 2016, There are current Outstanding Lien Fees, in the approximate amount of \$34,294.63 [The amount does not include the Lien Fees from the Finance Credit and Collections Department].

DISCLOSURE OF INTEREST\*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

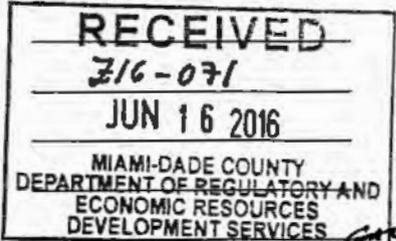
✓ CORPORATION NAME: ELK Capital, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Link Capital LLC</u>	<u>33</u>
<u>Star Gro Capital LLC</u>	<u>26</u>
<u>Ser Agua LLC</u>	<u>26</u>
<u>Midland Property Group LLC</u>	<u>15</u>

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	
_____	
_____	
_____	



If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

✓ If there is a CONTRACT FOR PURCHASE, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: MG3 REALTY LLC

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
<u>HERNAN LEONOFF</u>	<u>33.33%</u>
<u>MARCELO SAIEGH</u>	<u>33.33%</u>
<u>GUSTAVO BOGOMOLNI</u>	<u>33.33%</u>

Date of contract: 4/6/16

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

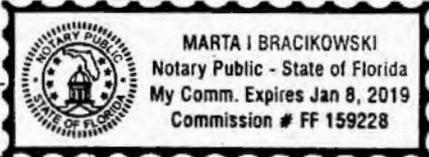

**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature [Signature] (Applicant) JORGE L. WILKINSON, MGR ELK Capital, LLC (Print Applicant name)

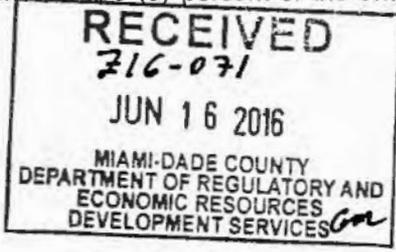
Sworn to and subscribed before me this 15 day of JUN 20 16. Affiant is personally known to me or has produced   as identification.

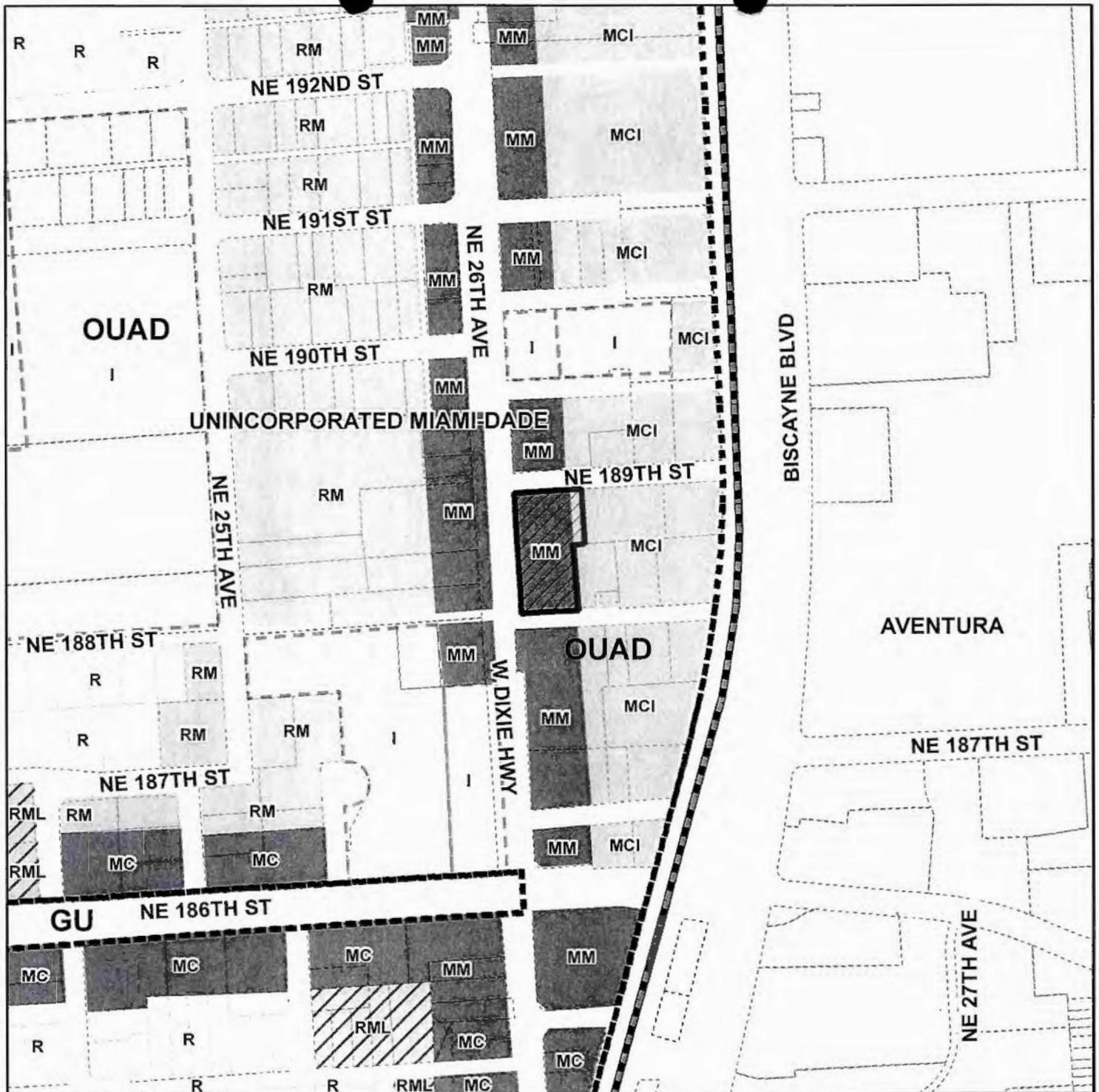
[Signature]  
(Notary Public)



My commission expires:   Seal

\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.





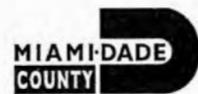
**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2016000071**

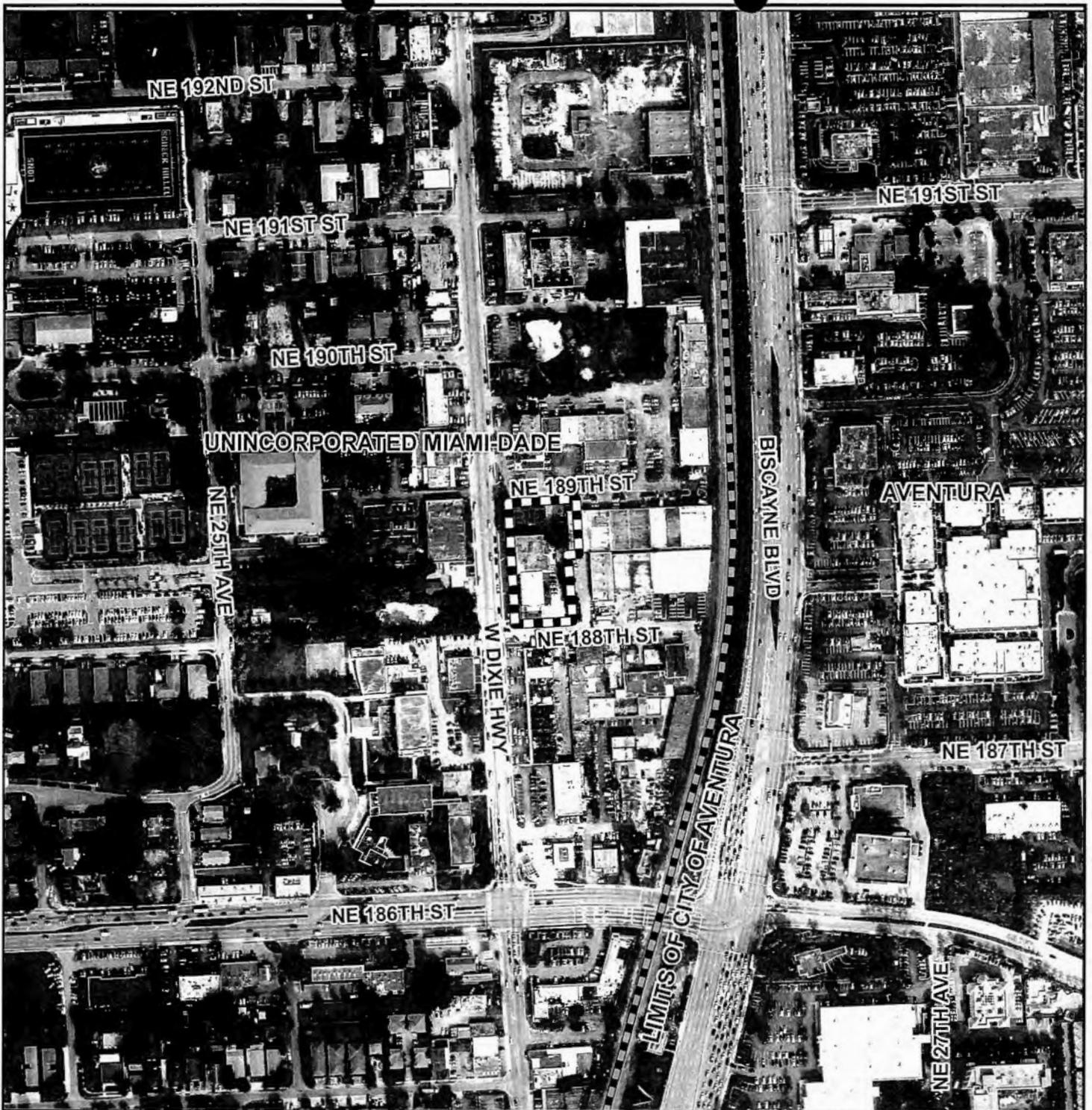
Section: 03 Township: 52 Range: 42  
 Applicant: ELK CAPITAL, LLC.  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: E.CESPEDES  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



REVISION	DATE	BY
		22



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2015**

Process Number  
**Z201600071**

**Legend**  
 Subject Property  
 Municipalities

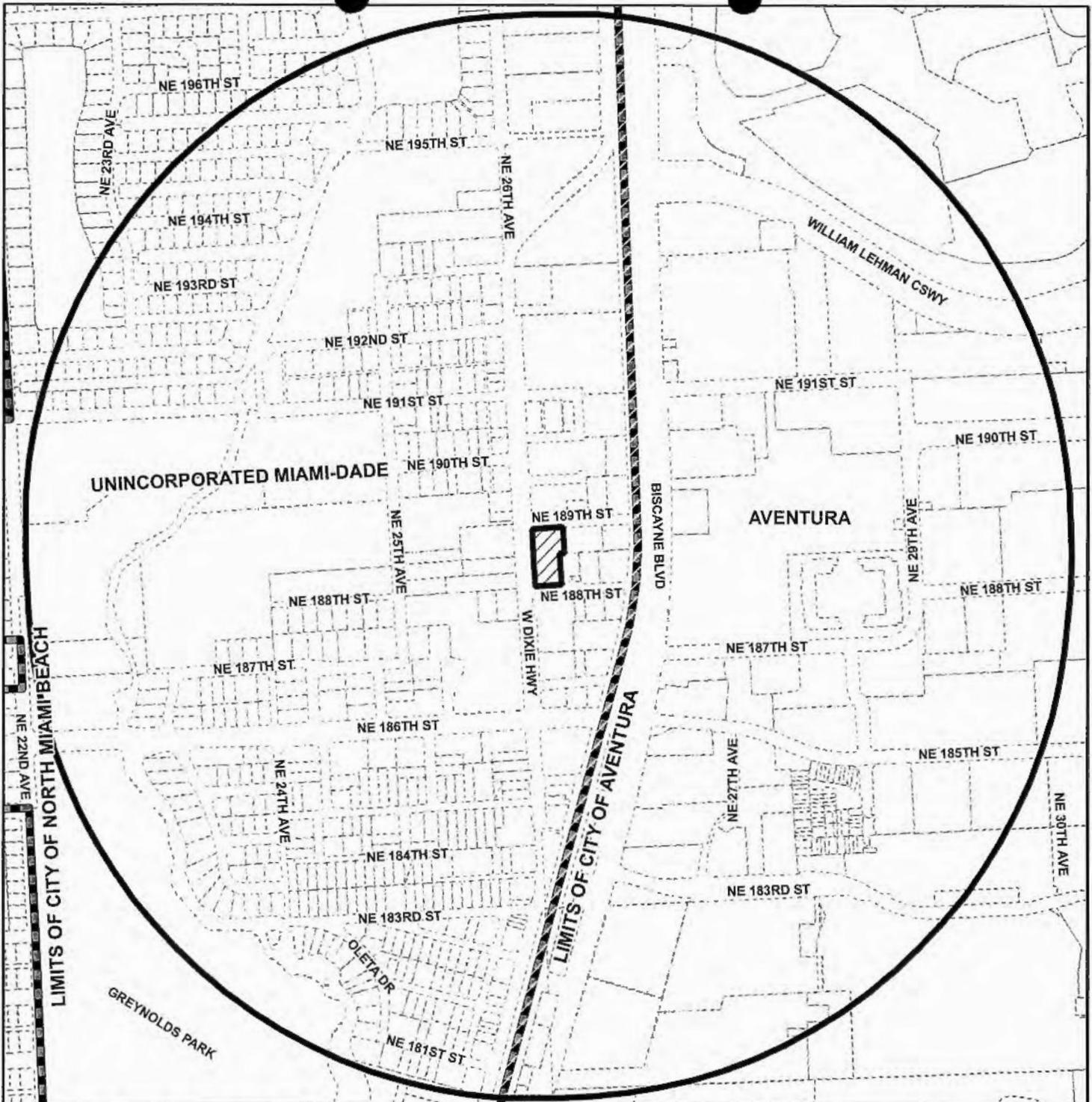


Section: 03 Township: 52 Range: 42  
 Applicant: ELK CAPITAL, LLC  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: E.CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Wednesday, July 6, 2016

REVISION	DATE	BY
		23



**MIAMI-DADE COUNTY  
RADIUS MAP**

Section: 03 Township: 52 Range: 42  
 Applicant: ELK CAPITAL, LLC  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: E.CESPEDES  
 Scale: NTS

Process Number  
**Z2016000071**  
 RADIUS: 2640

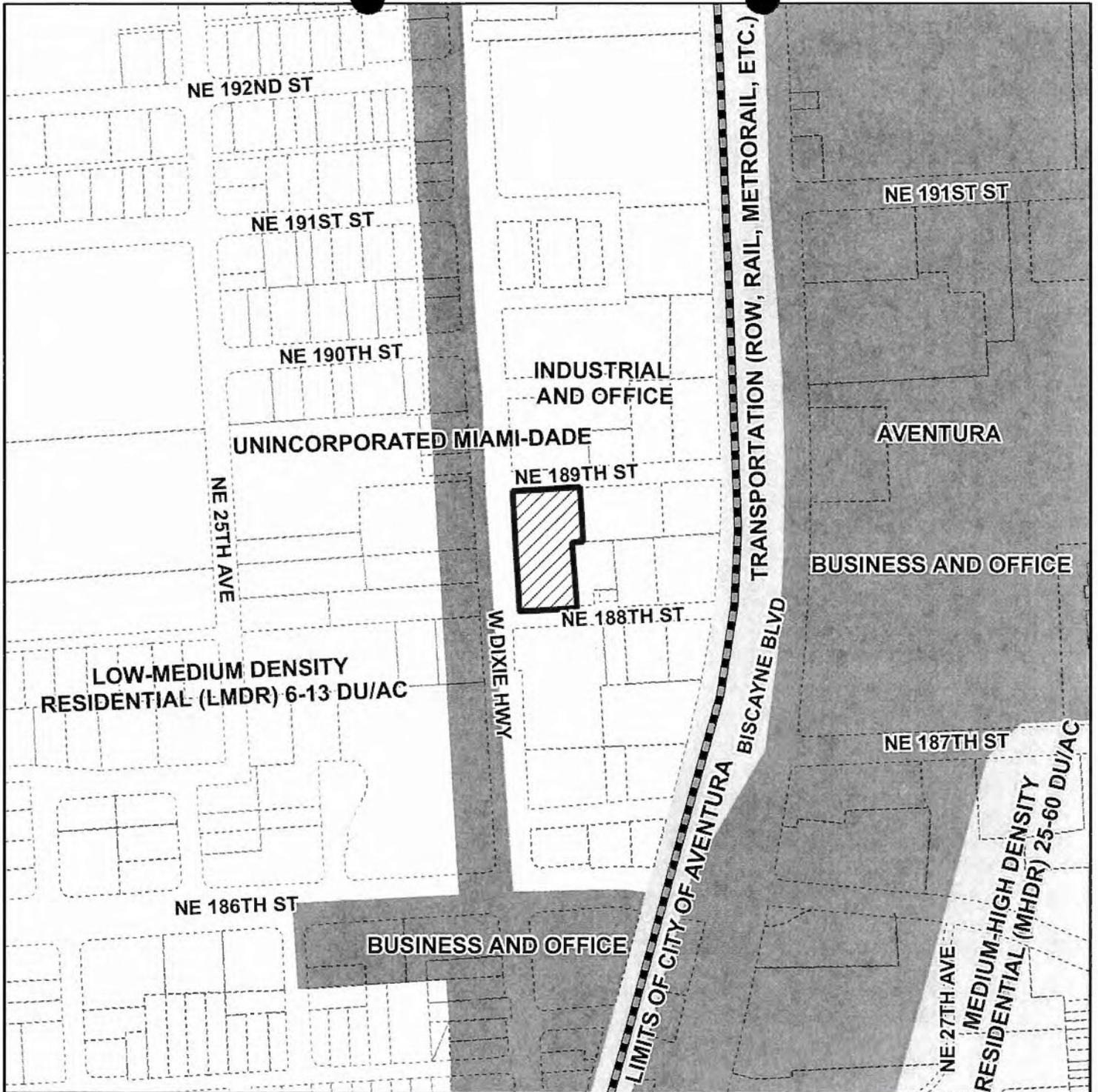
**Legend**

-  Subject Property
-  Buffer
-  Municipalities
-  Property Boundaries



SKETCH CREATED ON: Wednesday, July 6, 2016

REVISION	DATE	BY
		24



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number

**Z2016000071**

Section: 03 Township: 52 Range: 42  
 Applicant: ELK CAPITAL, LLC  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: E.CESPEDES  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Municipalities



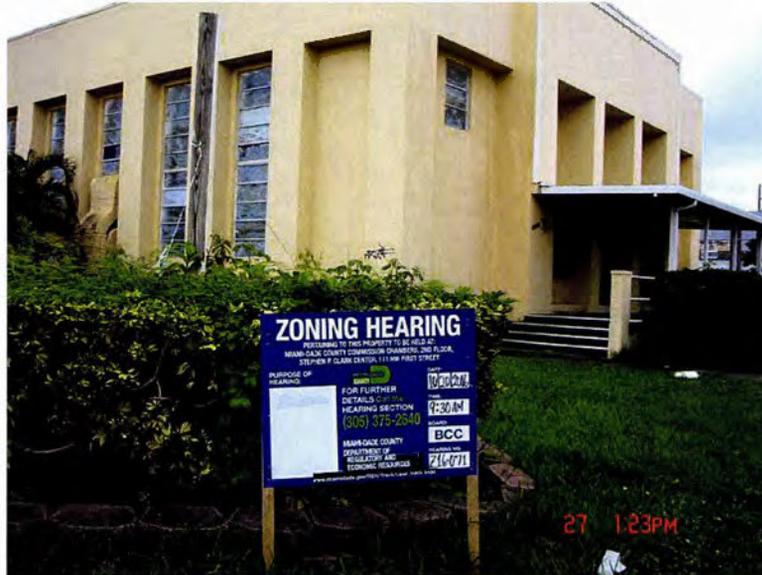
SKETCH CREATED ON: Wednesday, July 6, 2016

REVISION	DATE	BY



Miami-Dade County  
Department of Regulatory and Economic Resources

PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z2016000071

BOARD: BCC

LOCATION OF SIGN: 18801 W DIXIE HWY, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 27-SEP-16

*This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.*

SIGNATURE: *Cleveland Thompson*

PRINT NAME: CLEVELAND THOMPSON

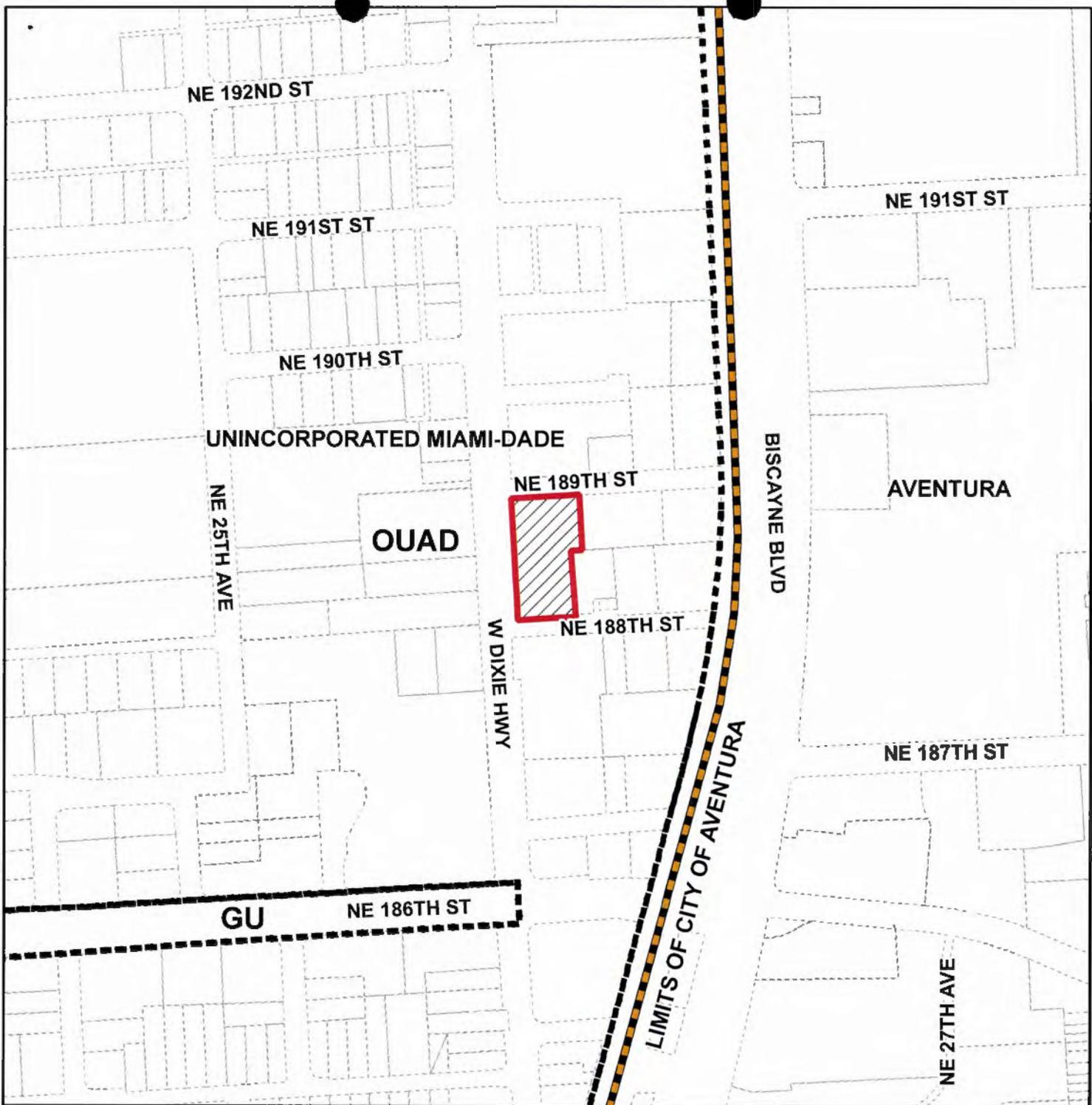
HEARING NUMBER: 16-10-CC-3 (16-071)

APPLICANT NAME: ELK Capital, LLC.

The applicant is requesting a modification of the Density Regulating Plan of the Ojus Urban Area District (OUAD) in order to change the density of the portion of the property designated MM on the land use regulating plan from a density range of 12 to 52 units/acre net to a maximum of 52 units/acre net, without minimum density requirement.

LOCATION: 18801 West Dixie Highway. East side of West Dixie Highway, between NE 188th and NE 189th Streets, in northeastern Miami-Dade County.

SIZE OF THE PROPERTY: +/- 1.2 ACRES



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2016000071**

**Legend**

-  Subject Property Case
-  Zoning
-  Municipalities

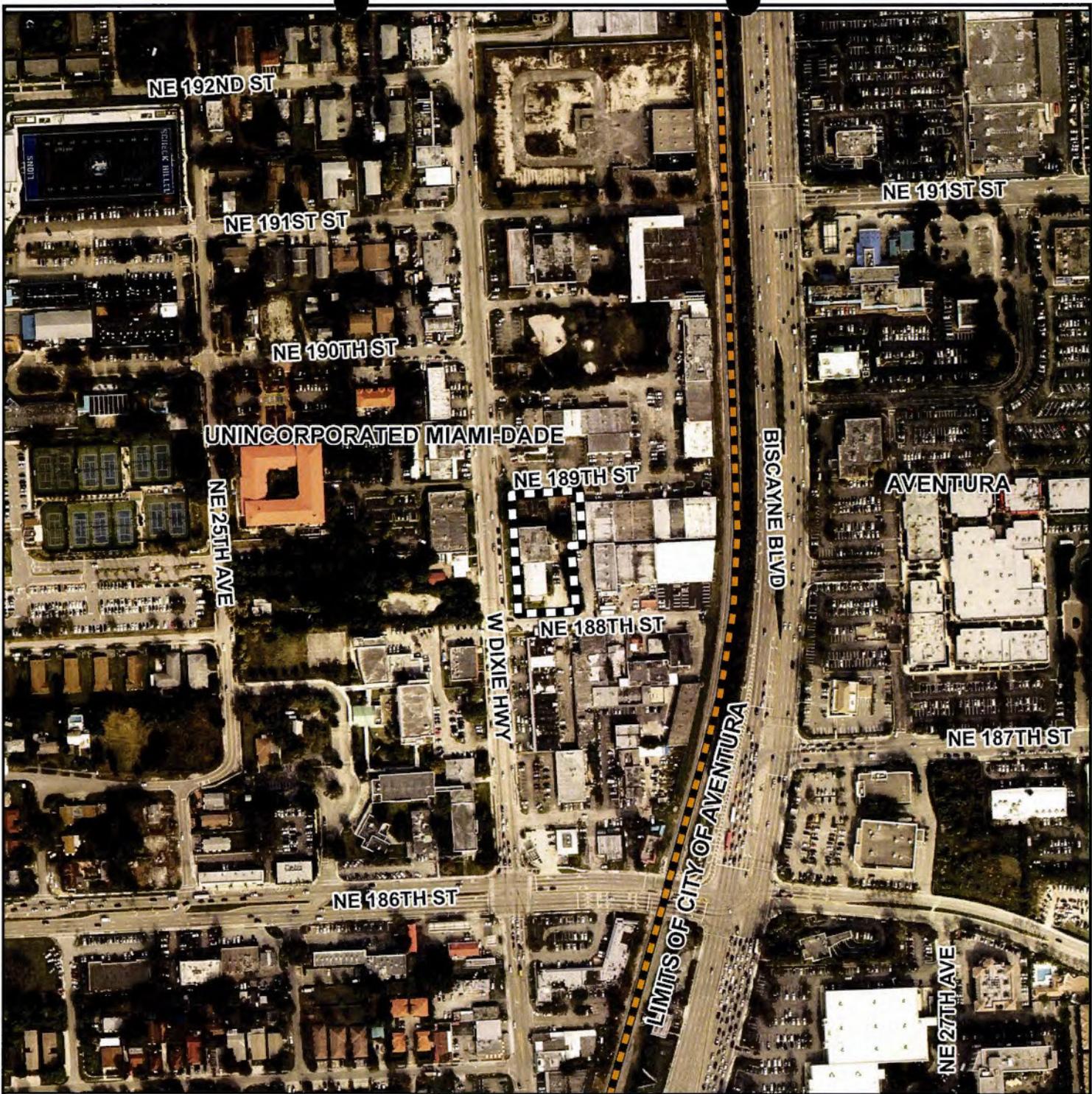


Section: 03 Township: 52 Range: 42  
 Applicant: ELK CAPITAL, LLC  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: E.CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Wednesday, July 6, 2016

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2015**

Process Number  
**Z2016000071**

**Legend**  
 Subject Property  
 Municipalities

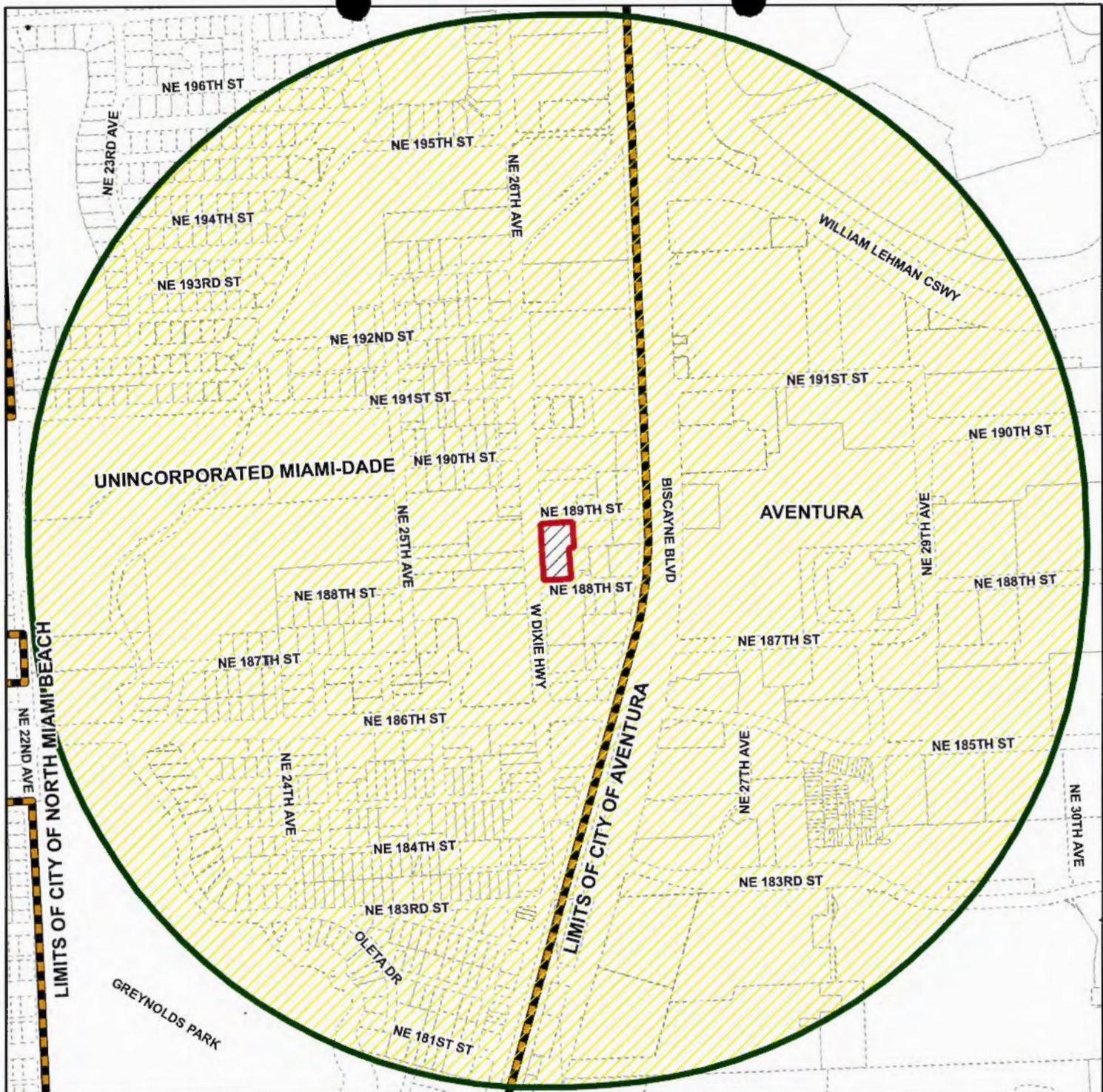


Section: 03 Township: 52 Range: 42  
 Applicant: ELK CAPITAL, LLC  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: E.CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Wednesday, July 6, 2016

REVISION	DATE	BY



**MIAMI-DADE COUNTY  
RADIUS MAP**

Section: 03 Township: 52 Range: 42  
 Applicant: ELK CAPITAL, LLC  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: E.CESPEDES  
 Scale: NTS

Process Number  
**Z2016000071**  
 RADIUS: 2640

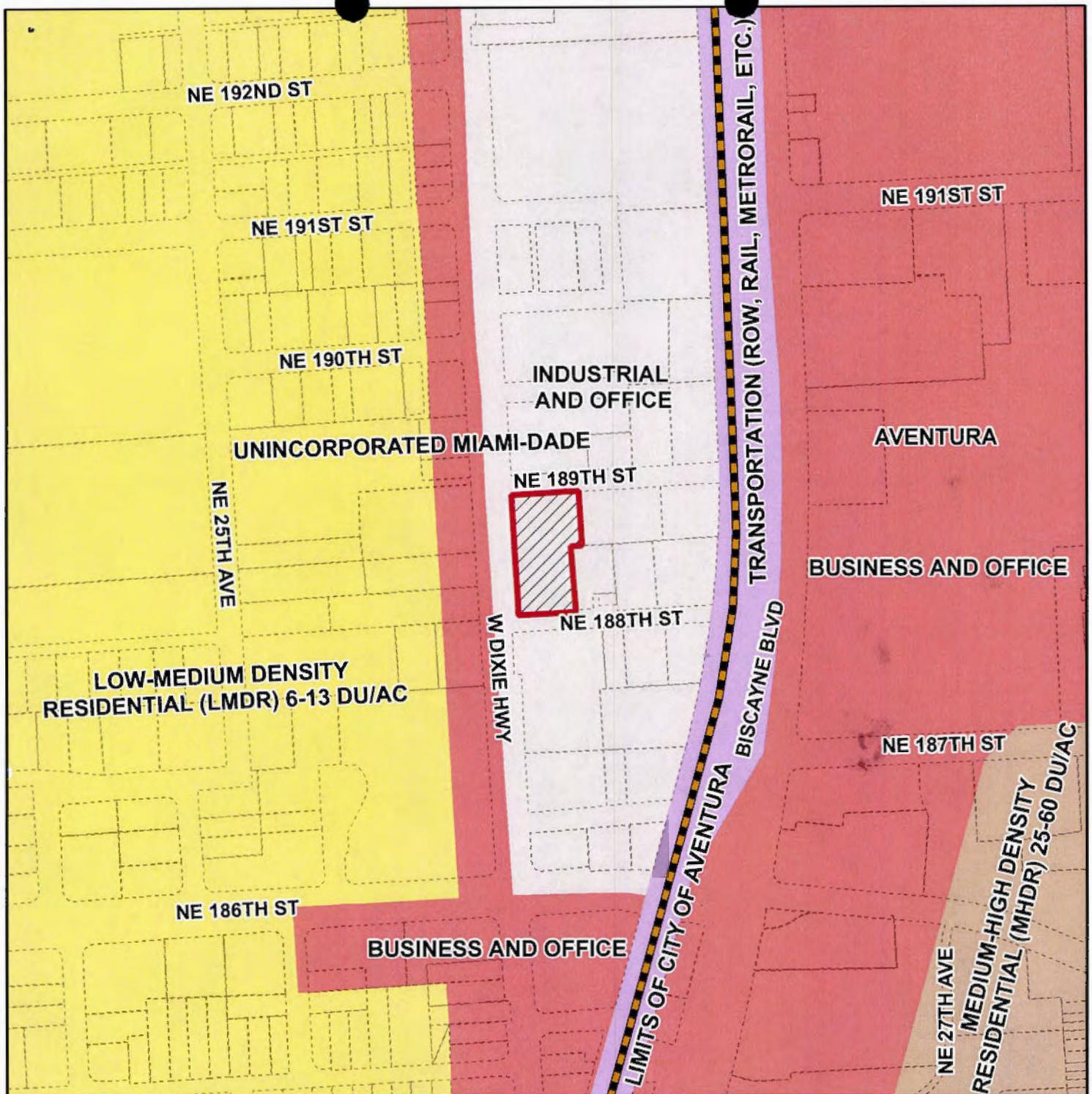
**Legend**

-  Subject Property
-  Buffer
-  Municipalities
-  Property Boundaries



SKETCH CREATED ON: Wednesday, July 6, 2016

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2016000071**

Section: 03 Township: 52 Range: 42  
 Applicant: ELK CAPITAL, LLC  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: E.CESPEDES  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Municipalities



SKETCH CREATED ON: Wednesday, July 6, 2016

REVISION	DATE	BY



**MIAMI DADE POLICE DEPARTMENT**  
**57B - Summarized CFS Year Comparison By Call Type-Grid-Signal**  
**Z2016000071 - Elk Capital LLC**  
**Complaint Date Range: Jan 1, 2016 - Jun 30, 2016**



**EMERGENCY**

Grid Code	CAD Signal Code	YTD 2016	LYTD 2015	P_LYTD 2014
<b>0138</b>	15 MEET AN OFFICER	0	0	1
	17 TRAFFIC ACCIDENT	3	3	4
	29 ROBBERY	0	0	1
	30 SHOOTING	1	0	1
	41 SICK OR INJURED PERSON	28	25	22
	49 FIRE	1	0	0
<b>TOTAL FOR GRID 0138</b>		<b>33</b>	<b>28</b>	<b>29</b>
<b>0196</b>	15 MEET AN OFFICER	0	0	1
	17 TRAFFIC ACCIDENT	1	1	2
	41 SICK OR INJURED PERSON	1	0	2
<b>TOTAL FOR GRID 0196</b>		<b>2</b>	<b>1</b>	<b>5</b>
		Reported: 5	Reported: 1	Reported: 5
		Not Reported: 30	Not Reported: 28	Not Reported: 29
<b>TOTAL EMERGENCY</b>		<b>35</b>	<b>29</b>	<b>34</b>



**MIAMI DADE POLICE DEPARTMENT**  
**57B - Summarized CFS Year Comparison By Call Type-Grid-Signal**  
**Z2016000071 - Elk Capital LLC**  
**Complaint Date Range: Jan 1, 2016 - Jun 30, 2016**



**PRIORITY**

Grid Code	CAD Signal Code	YTD 2016	LYTD 2015	P_LYTD 2014
<b>0138</b>	14 CONDUCT INVESTIGATION	2	3	1
	18 HIT AND RUN	0	1	0
	32 ASSAULT	3	2	1
	34 DISTURBANCE	6	4	2
	49 FIRE	0	0	1
<b>TOTAL FOR GRID 0138</b>		<b>11</b>	<b>10</b>	<b>5</b>
<b>0196</b>	14 CONDUCT INVESTIGATION	1	0	0
	32 ASSAULT	0	1	1
	34 DISTURBANCE	1	2	1
	49 FIRE	0	1	0
<b>TOTAL FOR GRID 0196</b>		<b>2</b>	<b>4</b>	<b>2</b>
		Reported: 2	Reported: 2	Reported: 0
		Not Reported: 11	Not Reported: 12	Not Reported: 7
<b>TOTAL PRIORITY</b>		<b>13</b>	<b>14</b>	<b>7</b>



**MIAMI DADE POLICE DEPARTMENT**  
**57B - Summarized CFS Year Comparison By Call Type-Grid-Signal**  
**Z2016000071 - Elk Capital LLC**  
**Complaint Date Range: Jan 1, 2016 - Jun 30, 2016**



**ROUTINE**

Grid Code	CAD Signal Code	YTD 2016	LYTD 2015	P_LYTD 2014
<b>0138</b>	13 SPECIAL INFORMATION/ASSIGNMENT	37	58	64
	14 CONDUCT INVESTIGATION	33	36	44
	15 MEET AN OFFICER	2	3	3
	17 TRAFFIC ACCIDENT	20	21	40
	18 HIT AND RUN	2	7	3
	19 TRAFFIC STOP	20	30	44
	20 TRAFFIC DETAIL	2	2	9
	21 LOST OR STOLEN TAG	1	2	0
	22 AUTO THEFT	3	2	2
	25 BURGLAR ALARM RINGING	34	31	34
	26 BURGLARY	5	9	8
	27 LARCENY	2	6	11
	28 VANDALISM	1	6	4
	29 ROBBERY	1	2	2
	32 ASSAULT	2	2	5
	33 SEX OFFENSE	2	0	0
	34 DISTURBANCE	29	25	34
	36 MISSING PERSON	2	3	2
	37 SUSPICIOUS VEHICLE	2	5	3
	38 SUSPICIOUS PERSON	2	4	6
	39 PRISONER	2	1	1
	41 SICK OR INJURED PERSON	2	3	5
	43 BAKER ACT	1	0	0
	45 DEAD ON ARRIVAL	5	8	8
49 FIRE	1	0	0	
52 NARCOTICS INVESTIGATION	3	1	2	
54 FRAUD	2	4	3	
<b>TOTAL FOR GRID 0138</b>		<b>225</b>	<b>271</b>	<b>337</b>
<b>0196</b>	13 SPECIAL INFORMATION/ASSIGNMENT	10	6	10
	14 CONDUCT INVESTIGATION	14	10	16
	15 MEET AN OFFICER	1	0	0
	17 TRAFFIC ACCIDENT	7	3	13
	18 HIT AND RUN	1	2	2
	19 TRAFFIC STOP	0	1	5
	20 TRAFFIC DETAIL	1	1	0
	22 AUTO THEFT	3	1	2
	25 BURGLAR ALARM RINGING	16	21	34
	26 BURGLARY	5	1	1
27 LARCENY	1	2	7	



**MIAMI DADE POLICE DEPARTMENT**  
**57B - Summarized CFS Year Comparison By Call Type-Grid-Signal**  
**Z2016000071 - Elk Capital LLC**  
**Complaint Date Range: Jan 1, 2016 - Jun 30, 2016**



Grid Code	CAD Signal Code	YTD 2016	LYTD 2015	P_LYTD 2014
0196	28 VANDALISM	1	3	2
	32 ASSAULT	0	1	0
	33 SEX OFFENSE	1	0	1
	34 DISTURBANCE	8	19	9
	37 SUSPICIOUS VEHICLE	1	0	1
	38 SUSPICIOUS PERSON	1	1	2
	39 PRISONER	0	2	2
	41 SICK OR INJURED PERSON	0	1	0
	43 BAKER ACT	1	1	1
	49 FIRE	1	0	0
	52 NARCOTICS INVESTIGATION	2	0	0
	54 FRAUD	0	0	1
	<b>TOTAL FOR GRID 0196</b>		<b>75</b>	<b>76</b>
		Reported: 142	Reported: 142	Reported: 162
		Not Reported: 158	Not Reported: 205	Not Reported: 284
<b>TOTAL ROUTINE</b>		<b>300</b>	<b>347</b>	<b>446</b>
<b>GRAND TOTAL</b>		<b>348</b>	<b>390</b>	<b>487</b>



**MIAMI DADE POLICE DEPARTMENT**  
**57B - Summarized CFS Year Comparison By Call Type-Grid-Signal**  
Report Filters



**Complaint Date Range:** Jan 1, 2016 - Jun 30, 2016

**Grid:** 0138, 0196

**Signal:** 13 SPECIAL DETAIL CHRISTMAS, 13 SPECIAL INFORMATION/ASSIGNMENT, 14 CONDUCT INVESTIGATION, 15 MEET AN OFFICER, 16 D.U.I., 17 TRAFFIC ACCIDENT, 18 HIT AND RUN, 19 TRAFFIC STOP, 20 TRAFFIC DETAIL, 21 LOST OR STOLEN TAG, 22 AUTO THEFT, 23 CLEARANCE CHECK, 24 COMPLETE CHECK, 25 BURGLAR ALARM RINGING, 26 BURGLARY, 27 LARCENY, 28 VANDALISM, 29 ROBBERY, 30 SHOOTING, 31 HOMICIDE, 32 ASSAULT, 33 SEX OFFENSE, 34 DISTURBANCE, 35 INTOXICATED PERSON - MYERS ACT, 36 MISSING PERSON, 37 SUSPICIOUS VEHICLE, 38 SUSPICIOUS PERSON, 39 PRISONER, 40 SUBJECT POSSIBLY WANTED, 41 SICK OR INJURED PERSON, 42 AMBULANCE, 43 BAKER ACT, 44 ATTEMPTED SUICIDE, 45 DEAD ON ARRIVAL, 46 MEDICAL DETAIL, 47 BOMB OR EXPLOSIVE ALERT, 48 EXPLOSION, 49 FIRE, 50 ORGANIZED CRIME FIGURE, 51 NARCOTICS VIOLATOR, 52 NARCOTICS INVESTIGATION, 53 ABDUCTION, 54 FRAUD, 55 WEAPONS VIOLATION

**Agency:**

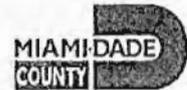
**District:**

**Call Type:** ROUTINE, PRIORITY, EMERGENCY

**Primary Unit:** Primary Unit not contains '0000' 'SB' 'CR' or Primary Unit does not exits

**CDW Package**

# Memorandum



**Date:** September 24, 2015

**To:** Mark R. Woener, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources

**From:** Paul Mauriello, AICP, Deputy Director, Waste Operations  
Public Works and Waste Management Department

**Subject:** Solid Waste Disposal Concurrency Determination

A handwritten signature in cursive script, appearing to read "Paul Mauriello".

The Public Works and Waste Management Department (PWWM) determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for construction are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of fifteen (15) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste to the System through interlocal agreements or long-term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2029-30 or ten (10) years beyond the minimum five (5) year standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2016), at which time a new determination will be issued. If, however, a significant event occurs that substantially alters the projection, the Department will issue an updated determination.

## Attachment

c: Alina T. Hudak, Deputy Mayor and Director, PWWM  
Aneisha Daniel, Assistant Director, Administration  
Asok Ganguli, Assistant Director, Technical Services  
Michael Fernandez, Assistant Director, Disposal Operations  
Aimee Cabrera, Chief, Intergovernmental & External Affairs

Public Works and Waste Management Department (PWWM)  
Disposal Facility Available Capacity  
From Fiscal Year 2015-16 Through Fiscal Year 2029-30

FISCAL YEAR PERIOD	WASTE PROJECTION NET TONS DISPOSED	RESOURCES RECOVERY ASHFILL *			SOUTH DADE LANDFILL **			NORTH DADE LANDFILL ***			WMI ****	TOTAL TO BE LANDFILLED
		Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity		
OCT. 1, 2015 TO SEPT.	1,600,000	2,460,854	168,000	2,292,854	5,761,827	381,400	5,380,427	1,555,908	185,400	1,370,508	250,000	984,800
OCT. 1, 2016 TO SEPT.	1,600,000	2,292,854	168,000	2,124,854	5,380,427	381,400	4,999,027	1,370,508	185,400	1,185,108	250,000	984,800
OCT. 1, 2017 TO SEPT.	1,600,000	2,124,854	168,000	1,956,854	4,999,027	381,400	4,617,627	1,185,108	185,400	999,708	250,000	984,800
OCT. 1, 2018 TO SEPT.	1,600,000	1,956,854	168,000	1,788,854	4,617,627	381,400	4,236,227	999,708	185,400	814,308	250,000	984,800
OCT. 1, 2019 TO SEPT.	1,600,000	1,788,854	168,000	1,620,854	4,236,227	381,400	3,854,827	814,308	185,400	628,908	250,000	984,800
OCT. 1, 2020 TO SEPT.	1,600,000	1,620,854	168,000	1,452,854	3,854,827	381,400	3,473,427	628,908	185,400	443,508	250,000	984,800
OCT. 1, 2021 TO SEPT.	1,600,000	1,452,854	168,000	1,284,854	3,473,427	381,400	3,092,027	443,508	185,400	258,108	250,000	984,800
OCT. 1, 2022 TO SEPT.	1,600,000	1,284,854	168,000	1,116,854	3,092,027	381,400	2,710,627	258,108	185,400	72,708	250,000	984,800
OCT. 1, 2023 TO SEPT.	1,600,000	1,116,854	168,000	948,854	2,710,627	381,400	2,329,227	72,708	185,400	0	362,692	984,800
OCT. 1, 2024 TO SEPT.	1,600,000	948,854	168,000	780,854	2,329,227	381,400	1,947,827	0	0	0	435,400	984,800
OCT. 1, 2025 TO SEPT.	1,600,000	780,854	168,000	612,854	1,947,827	381,400	1,566,427	0	0	0	435,400	984,800
OCT. 1, 2026 TO SEPT.	1,600,000	612,854	168,000	444,854	1,566,427	381,400	1,185,027	0	0	0	435,400	984,800
OCT. 1, 2027 TO SEPT.	1,600,000	444,854	168,000	276,854	1,185,027	381,400	803,627	0	0	0	435,400	984,800
OCT. 1, 2028 TO SEPT.	1,600,000	276,854	168,000	108,854	803,627	381,400	422,227	0	0	0	435,400	984,800
OCT. 1, 2029 TO SEPT.	1,600,000	108,854	108,854	0	422,227	381,400	40,827	0	0	0	494,546	984,800
REMAINING YEARS				14			15			8		15

ANNUAL DISPOSAL (in tons)	
RESOURCES RECOVERY ASHFILL	168,000
SOUTH DADE LANDFILL	381,400
NORTH DADE LANDFILL	185,400
WMI CONTRACT	250,000
TOTAL TO BE LANDFILLED	<u>984,800</u>

- \* Ashfill capacity is for Cell 20.
- \*\* South Dade includes Cells 4 and 5. Assumes unders from Resources Recovery consumes capacity whether or not it is used as cover.
- \*\*\* North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted, trash goes to WMI.
- \*\*\*\* Maximum Contractual Tonnage per year from WMI is 1.25 million tons, 500,000 tons to the Medley Landfill, 500,000 to Okeechobee County Landfill and 250,000 tons to the Monarch Hill Landfill in Broward County. The initial term of the WMI disposal contract ends September 30, 2035 and the contract contains two 5-year renewal terms.
- \*\*\*\*\* All beginning capacity figures are derived from the Capacity of Miami-Dade County Landfills draft report prepared by Arcadis based on the actual July 2015, survey with actual tons for July 2015 through August 2015, and projected tons for September 2015.

# Memorandum



**Date:** October 1, 2015

**To:** Mark R. Woerner, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources

**From:** *AWB* Alice N. Bravo, P.E., Director  
Miami-Dade Transit

**Subject:** FY16 Blanket Concurrency Approval for Transit

---

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the June 2015 Metrobus/Metrorail service area we find that MDT meets or exceeds the Level-of-Service Standards (LOS) for mass transit established in Policy MT-1A of the County's Comprehensive Development Master Plan for Miami-Dade County.

With this memo we re-authorize your Department to review and approve concurrency applications in all areas of unincorporated Miami-Dade County.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2015 to September 30, 2016, or until canceled by written notice from my office.

Should your staff need further assistance with mass transit concurrency information, they may contact Nilia Cartaya, Principal Planner, in our Department. Thank you for your continued cooperation on these important matters.

c: Frank Guyamier, P.E., MDT  
Albert A. Hernandez, P.E., MDT  
Monica D. Cejas, P.E., MDT  
Gerald E. Bryan, MDT  
Eric Zahn, MDT  
Nilia Cartaya, MDT  
Jaqueline Carranza, MDT  
Mark R. Woerner, RER  
Helen A. Brown, RER

# Memorandum



Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning  
Department of Planning and Zoning

From: Manuel C. Mena, Chief  
MDFR Fire Prevention Division

Subject: Concurrency Approval

---

Subject to compliance with Article XIV a, "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2, Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

Received by  
Zoning Agenda Coordinator

JUL 27 2010

Control File

# Memorandum



**Date:** September 28, 2015

**To:** Mark R. Woerner, Assistant Director for Planning  
Regulatory and Economic Resources Department

**From:** Maria I. Nardi *M-I*  
Chief of Planning and Design Excellence  
Parks, Recreation and Open Spaces Department

**Subject:** Blanket Concurrency Approval for Recreation and Open Space

---

This memorandum updates the blanket concurrency approval memo of September 18, 2014. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2016. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

MN: jb

c: Helen Brown, Metropolitan Planning, RER



Miami-Dade County  
Park Recreation and Open Spaces Department  
LOS-2015-16

Report # 4 Table 34  
Local Recreation Open Space Level of Service

PBD	Estimated 2015 UMSA Population	Standard @ 2.75 Acres Per 1000 People (Acres)	Public local Park Acres	Concurrency* Acres	TOTAL LOCAL	School Acres	Private Open Space Acres	Recreation Open S Acreage	Surplus (Deficient) Acres	ercentage of Standar %
1	382,633	1,052.24	343.95	291.00	634.95	299.82	267	1201.77	149.53	1.14
2	601,589	1,654.37	715.26	595.00	1310.26	356.3	473	2139.56	485.19	1.29
3	164,347	451.95	251.88	232.93	484.81	96.62	89	670.43	218.48	1.48
<b>Total</b>	<b>1,148,569</b>	<b>3,158.56</b>	<b>1311.09</b>	<b>1118.93</b>	<b>2430.02</b>	<b>752.74</b>	<b>829</b>	<b>4011.76</b>	<b>653.20</b>	<b>1.27</b>

Note:  
Public Local Park Acres is Miami-DadeParks Only  
Private Recreation Open Space Updated 1/9/09  
\*Concurrency Acres are District park Acres utilized for local Recreation

# Memorandum



**Date:** July 28, 2016

**To:** Jack Osterholt, Deputy Mayor/Director  
Department of Regulatory and Economic Resources

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

**Subject:** BCC #Z2016000071  
ELK Capital, LLC  
18801 West Dixie Highway  
DBC from Mixed Use Main (MM) to Mixed Use Corridor (MC)  
(1.19 Acres)  
03-52-42

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

The subject application has been reviewed by the Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) 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 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. Public water is provided by the City of North Miami Beach Water and Sewer Department.

Civil drawing for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department (MDWASD) and the Environmental Wastewater Permitting Section of DERM prior to approval of final development orders.

Applicant is advised that receiving sanitary pump station 30-0394 is currently under Absolute Moratorium; however, improvements to this pump station have been approved by DERM and MDWASD. Applicant is advised that DERM can issue conditional sewer capacity certification for this project subject to the certification of completion of the pump station in accordance with the new USEPA/FDEP Consent Decree (Case: NO. 1:12-cv-24400-FAM, effective December 6, 2013). DERM cannot issue Certificates of Occupancy/Certificates of Completion for any associated building permits until pump station 30-0394 has been certified complete and operating in compliance.

#### Tree Preservation

No landscape survey was submitted with the application. An aerial review of the property indicates the presence of tree resources. Therefore a recommendation of approval is conditioned that no trees are impacted, specifically that specimen trees (trees with a diameter at breast height of 18 inches or greater) are preserved.

Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree 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. Projects and permits shall meet the